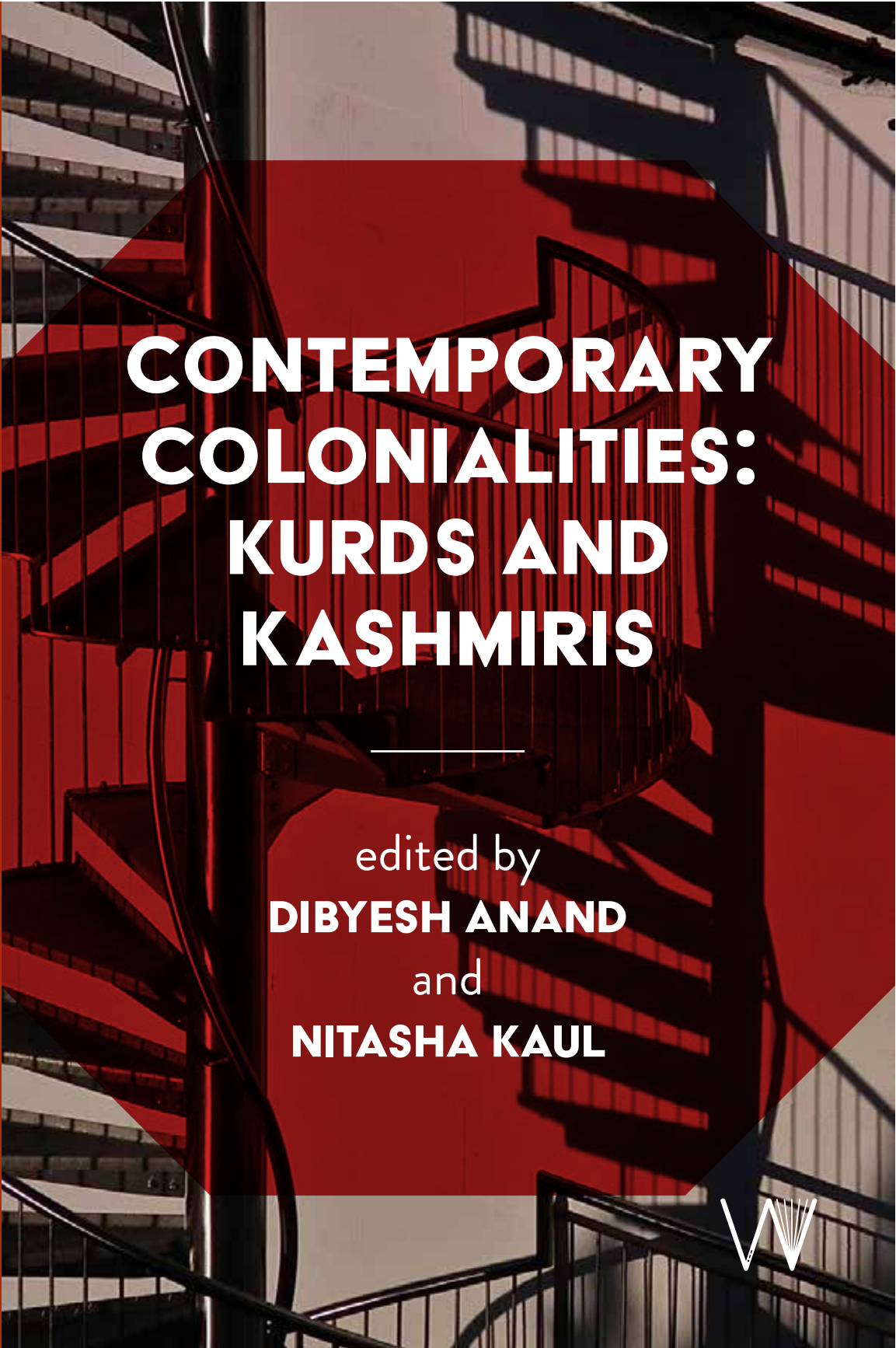

CONTEMPORARY COLONIALITIES: KURDS AND KASHMIRIS

edited by

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and

NITASHA KAUL

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CHAPTER 1

An Introduction to Contemporary Colonialities: Kurds and Kashmiris

Dibyesh Anand and Nitasha Kaul

Polities emerge, exist, dissolve, and transform with time, and yet we hold on to a notion that the polities we have around are natural, inevitable, the best of the worst, and unavoidable. In a world marked by the constitutive principle of statist sovereignty and shaped by the continuing dominance of nation-states as actors, the relation between nation and state in 'nation-state' remains complicated at best and forcibly violent at worst. Political conflicts are mostly understood as inter-state and/or intra-state, driven by various forms of identity, including ethnic ones. Colonial legacies are sometimes acknowledged as having played an important role in creating and sustaining contemporary conflicts. What is often missing is a recognition that some of these conflicts are neither merely territorial between nation-states over competing claims, nor simply ethnic ones, nor a remnant of former Western colonialism, but are driven by competing visions of sovereignties between nation-states and stateless nations where one side has 'sovereignty privilege' while the other, with its own sovereignty aspirations, is reduced to standing for insurgency, resistance, demand for human rights, or a futile struggle for self-determination.

This edited volume has brought together scholarship on two places/names associated with 'conflict' but which we argue are best described as 'stateless

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nations': Kurdistan[1] and Kashmir.[2] They are situated in regions of geopolitical importance, one in West Asia and one in South Asia, and are mostly reduced to being sites of conflict between different regional and global powers. They both raise important questions relating to coloniality, sovereignty, statehood, self-determination, and human rights, and yet have never been studied together. While there are multiple actors, the focus in the volume is on Turkey-Kurds and India-Kashmiris because both the states are recognised regional powers with contested but strong nationalism, and have within their territories the largest number of Kurds and Kashmiris.

The categories 'Kurd' as well as 'Kashmiri', like 'Turkish' and 'Indian', paper over significant complexities and differences. For instance, the Kurds in Turkey have linguistic diversity (with Kurmanji, Turkish, or Zazaki as their mother tongues) as well as religious ones; as a contribution in this volume points out, there are fault lines between Sunni and Alevi Kurds. Many Kurds identify along tribal lines, many do not; many have assimilated as 'Türk', many have not. 'Kashmiri' is often used as a catch-all term for people of the erstwhile princely state of Jammu and Kashmir. These include Kashmiri-speaking Muslims, Pandits, and Sikhs living mostly in the Kashmir Valley, Shias and Buddhists in Ladakh, Muslims and Hindus in Jammu, Shias in Gilgit-Baltistan, and others. After 1947, with populated areas under the control of India and Pakistan, Indian-administered Kashmir is Muslim-majority overall but Buddhist-Shia mix in Ladakh, Hindu ascendant in Jammu, and Muslim dominant in the valley. Kashmiri, Urdu, Pahari, Dogri, Ladakhi, and various other language groups exist. As a contribution in this volume highlights, demographic politics in the region shapes the politics of aspiration of people vis-à-vis India, with demands for self-determination being mainly confined to the Kashmir Valley. Demographic complexities of the Kurds and Kashmiris complicate any simplistic understanding of the relation of these stateless nations vis-à-vis the nation-states that claim sovereignty over them. The nation-states respond to these complexities through divide and rule, and selective repression, appropriation, and assimilation.

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[1] Kurdistan is often used to refer to only Iraqi Kurdistan ruled by the Kurdistan Regional Government within Iraq. We use 'Kurdistan' to refer to the wider imagined nation that encompasses the Kurdish areas in Iraq, Iran, Syria, and Turkey. The focus in this volume is primarily on the Kurdish experience of coloniality vis-à-vis Turkey, the dominant power in the region.

[2] Kashmir is a part of the wider historical entity Jammu and Kashmir, and today refers to both the Indian-administered and Pakistani-administered parts. While partisans on different sides prefer to use words such as 'occupied', 'controlled', or '*azad*' [free], we stick with the terminology used in the United Nations – Indian- and Pakistani-administered Kashmir. While other constituent regions of the former princely state of Jammu and Kashmir see their own relation with Kashmir as contested, 'Kashmir' is also used generically to refer to the entire dispute. In this volume, the focus is mainly on the Kashmiri experience of coloniality vis-à-vis India, the dominant power in the region.

Figure 1: 'Kurdistan, Kurdish lands' (Furian n.d.).

International Relations (IR), with a continuing dominance of state actors, gives limited space to ethnonational territorialised communities as 'victims' of territorial conflict within regional or global geopolitics. For instance, Kurds today are understood as being stuck between the rivalrous powers of Turkey, Iran, Iraq, and Syria in the immediate vicinity, and the US and Russia at the global level. Kashmiris are portrayed as the victims of conflict between India and Pakistan, with both having proprietorial claims over 'Jammu and Kashmir' (Jammu and Kashmir, often known as J&K, is an 'integral part' of India or the 'jugular vein' of Pakistan, depending on which side you listen to). IR barely considers stateless nations where the control of a state is uncontested; in addition to the Kurds and Kashmiris, Uyghurs and Tibetans in China, and Basques and Catalans in Spain are examples of this. Much of the writing in IR focuses on competition, conflict, war, and proxy war between existing nation-states,

Figure 2: 'Map of Kashmir' (Bilal n.d.).

without putting under scrutiny their originary claims to sovereignty. The nationalism of nation-states is taken for granted, and debate over competing forms of nationalism within the states is left to Political Science *as if* those claims have no bearing for what is seen as legitimate and what is not in IR.

Our intervention not only challenges IR but is also an effort to make post-colonial and decolonial studies and endeavours more anti-colonial.[3] This

[3] For instance, due to Christianity's integral role in European colonialism, Islam is often seen as anti-colonial and a faith that provides home to those resisting racialised colonialism. However, in the context of the Muslim majority world, where colonising practices are often perpetrated by regimes claiming to be 'pious Muslims' and there are conspicuous chauvinist discriminations against non-Muslims and those seen as 'not-so-pious-Muslims', Islam can become a tool for the powerful rather than those resisting power. This is what we see in the case of Turkey-Kurdish relations.

Similarly, in case of India, Hinduism, sometimes seen as victimised by the Abrahamic religions for its plurality, is deployed to demonise Indian Muslims and

cannot take place without acknowledging that modern colonialism is neither exhausted by Western history nor an exclusive component of Western powers. Modern non-Western nation-states formed through a process of the formal end of European imperialisms are not necessarily opponents of colonialism, nor merely continuing victims of it. Modern and contemporary nation-state projects in the non-West can be, and often are, colonial.

Starting with the basic premise that people matter, and ought to matter, as much as (geo)political institutions do, the chapters in the book highlight some of the colonial ways in which power is exercised by Turkey and India, some of the ways in which Kurds and Kashmiris engage, accommodate, and resist it, and some of the ways in which such analyses offer a more critical, genuinely postcolonial, and better understanding of the situation faced by stateless nations. Most chapters emphasise a turn towards greater majoritarian authoritarianism since 2016 in Turkey-Kurdish relations and 2019 in India-Kashmiri relations.

The years 2016 and 2019 were turning points for Turkey and India, Kurds and Kashmiris. Turkey experienced a failed attempt of a coup d'état against President Erdoğan, which was then used by Erdoğan and his Justice and Development Party (AKP) to crack down on opposition parties, critics, and dissenters, and exercise control over all the different state institutions. While the collapse of the government's peace talks with the Kurdish Workers Party (PKK) in 2015 had already led to increased repression, the 2016 failed coup accelerated this, and pro-Kurdish political parties and progressives were heavily affected, even though they had no role in the coup. Since 2016, the People's Democratic Party (HDP), seen as pro-Kurdish and progressive, has been a constant victim of state persecution, social demonisation, and political marginalisation, and several of its leaders and activists have been imprisoned or are facing trial. On the other hand, in India in August 2019, the ruling right-wing Bharatiya Janata Party (BJP) under the Prime Ministership of Narendra Modi, and in a surprise and controversial move, ended Jammu and Kashmir's de jure autonomous statehood by revoking Article 370 of the Constitution and bifurcated the hitherto state into two union territories of Jammu & Kashmir, and Ladakh. While the dilution of Kashmir's autonomy had been ongoing for decades, the conversion of de facto into de jure and bifurcation was seen as a shocking move. More than four years since the abrogation, with the judicial stamp from the Supreme Court of India that held the moves to be within the law, electoral democracy remained in suspension until the polls in autumn of 2024, various rights activists and journalists are in detention, the control of Indian bureaucrats over every aspect of Kashmiri society is absolute, and there is no space for political expression. In fact, even pro-India politicians and activists who are seen as mainstream have been calling out the

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Christians, and to justify the harsh repression of Kashmiri Muslims. Muslims are portrayed as extremists, separatists, and terrorists, while Hindus are seen as peaceful, tolerant, and accommodative.

Indian government's behaviour as a denial of democracy and colonial, and as an occupation (see Maqbool 2024; Thapar 2020; The Wire 2023).

Outline of the argument

At our Centre for the Study of Democracy (CSD) at the University of Westminster for years, there has been a strand of research that challenges the academia-activism divide. Unlike other institutions jumping on the bandwagon of the 'Emerging Powers' (Brazil, China, India, etc.) and creating centres/institutes while eschewing subjects that are deemed 'seditious' by the emerging powers, we have not hesitated from having and hosting frank conversations where the views of those occupied and oppressed by the nation-states are taken as seriously as those of states with 'sovereignty privilege'. We have hosted the Dalai Lama and several exiled Tibetan leaders and activists; had sessions comparing the accommodation and resistance of Kashmiris and Tibetans by India and China; platformed Kashmiri human rights defenders including Parveena Ahangar; provided a forum to artists, journalists, activists (Mehmet Aksoy, a Kurdish journalist-activist who spoke about the Kurdish issue at CSD in 2017, was killed by ISIS in Syria a few months later), and scholars; and organised sessions on nations under occupation including Palestinians, Tibetans, Kashmiris, and Kurds. We produce academic scholarship on stateless nations that is unapologetic for being socially and politically engaged. For more than a decade, we have conducted and supported research on subjects while keeping methodological nation-statism at a distance.

In a world dominated by states and statist knowledge, and a world where, for multiple institutional and political reasons, it is rare to speak of more than one stateless nation, and where there is a neglect of non-Western colonial practices, we call for a shifting of the understanding of 'postcolonial' from 'West–non-West' to 'colonial–anti-colonial' without apology. It is not easy, especially when many of the conflicts and contestations related to stateless nations are connected to proxy wars and solidarities that are antagonistic; strands of resistance movements can be highly exclusionary, violent and anti-democratic. For instance, some of the pro-Palestinian solidarity overlaps with pro-Kashmiri solidarity, but much of it keeps a distance from pro-Kurdish, pro-Uyghur, and pro-Tibetan movements, and vice versa. We do not expect an agreement over the nature of solidarity nor a uniformity of approach towards what we understand as decolonial or anti-colonial. We are as divided as we are united. In fact, we acknowledge that intellectual and political differences are healthy and not unwelcome, when it comes to studying any place, people, or phenomenon.

A study of a stateless nation controlled by a colonising nation-state cannot avoid an engagement with questions of freedom and oppression. A scholarship that challenges the activism-academia divide cannot not be a study of, first, systemic ways in which the status quo is complicit with the forces of

marginalisation, erasure, and dominance constituting the coloniality of power and, second, some of the ways in which that power is experienced, and sometimes resisted, by those subjected to it. In this sense, the approach of our collection is inevitably progressive.

While chapters one and seven cover both the cases, chapters two to six focus on either Kurds or Kashmiris. Kaul and Anand set the scene by arguing that the recognition of contemporary colonisation by postcolonial nation-states goes hand in hand with the conceptualisation of the oppressed, occupied, and minoritised ethnonational communities with their own notions of territorial homeland as 'stateless nation'. This critical approach, animated by genuine anti-colonialism, of challenging the academic-activism divide when it comes to the knowledge production of ethnonational people without self-determination, allows for a more people- and human-centred understanding of politics and IR. It encourages us to have a more comprehensive understanding of state formation in large postcolonial states; it prompts us to challenge the history-politics and politics-IR divides; it puts a demand on us to push the boundaries of postcolonial scholarship to go beyond the West–non-West focus alone to the colonial–anti-colonial focus. It offers us an opportunity to decolonise and diversify knowledge. Kaul and Anand also highlight the rationale for studying Kurds, the world's largest stateless nation, and Kashmiris, living in the world's most militarised region under the world's largest democracy.

The Erdoğan years in Turkey have witnessed both hope and the dashing of hope for Kurdish electoral politics. HDP's initial success, its resilience in the face of right-wing Islamist as well as secular-nationalist attacks, and the severe crackdown on it, illustrate the limits of progressive alternatives in the authoritarian-democracy of Turkey. Tekdemir analyses the Kurdish-led, rather than pro-Kurdish, politics of HDP to transform Turkey's democracy. The closing of ranks of the ruling Islamist nationalists (AKP) and many right-wing secular nationalists (MHP), when it comes to securitising the Kurdish issue and imposing colonial Turkish nationalism, comes out clearly in the chapter that studies the structuring role of coloniality in the nationalist and electoral politics of Turkey. Tekdemir's chapter underlines the limits on self-representation and self-determination within electoral democracy for the Kurds.

Internal colonialism can subject stateless nations, that is, distinct ethnonational people with claims to a homeland, as well as those ethnonational and minoritised people who may not have a particular notion of territorial homeland nor any established desire for political self-determination. In the case of Turkey, the modern colonial nationalist project of Turkification had a strong element of Sunni-Islamisation. While this became more blatant with the Islamists in power, even the earlier secular regime had the assumption of Turkish = Muslim identity. One of the ways in which religious identity, even under secularist regimes, colonised difference was through a mix of denialism, appropriation, and assimilation. This is what Alevis, the largest religious minority in Turkey, many of whom are Kurds, have experienced over the century. Their

religious rights are denied and their beliefs and practices are deemed inferior and heretical, and Alevi people are forced to identify themselves as Sunni Muslims. As Jenkins and Cetin argue in their chapter, the denialism, appropriation, and assimilation pressures that Alevis experience are illustrative of a majoritarian colonising nation-state. Faith, identity, and culture are all subject to colonisation in Turkey. Both this and the previous chapter identify some of the ways in which the Kurdish experience within Turkey can be understood through asymmetrical relations of power with colonial characteristics.

While Cetin and Jenkins focus on colonisation and marginalisation through education, 'Walter"s chapter focuses on an institution that lies at the very heart of a modern nation-state – public bureaucracy. As 'Walter' points out, while there is an emphasis on the militarisation of Kashmiri lives and landscape by India, civilian bureaucracy is often seen as not connected to securitisation but as a force for good, an agent of development, and an institution based on many Kashmiris collaborating with Indian rule. The situation in Kashmir could not be more different – civilian bureaucracy is neither an intermediary nor a buffer between the colonial Indian state and the Kashmiri civilian population, but an arm of the Indian state. 'Walter' argues that it embeds colonial governance in society in the name of development. Bureaucracy's importance in Indianising Kashmir has become even more visible since 2019 as the state-turned-into-Union Territory had been without an elected government for five years. Like Tekdemir who shows the limits of autonomous expression within the electoral system for Kurds, 'Walter' shows the limits of the autonomous functioning of Kashmiri public officials within bureaucracy.

While most contributors focus on macro-categories of the majoritarian nation-state and the stateless nation, what we see as the coloniser and the colonised, Mir's intervention is a reminder of the complexity of categorisation; for instance, what get subsumed under Kashmir and Kashmiri identities, both by advocates of the controlling nation-states and of the stateless nation, are very distinct regional identities, some with aspirations diametrically opposed to each other. For instance, even within Indian-administered Jammu and Kashmir (IAJK), there are three broad regions: Kashmir that has been the bedrock of opposition to Indian rule, and Ladakh and Jammu where there are strong demands against 'Kashmiri dominance' and, often, for further integration with India. Thus, when we speak of 'Kashmiris' as a stateless nation, we need to be careful that we do not homogenise experience and aspirations the way we see the colonial nation-state doing the same. Mir focuses on IAJK and refers in passing to similar regional dynamics in Pakistani-administered Jammu and Kashmir. As Tekdemir points out in his chapter earlier, even the 'Kurds' are not united. AKP has conspicuous support amongst Islamist Kurds.

Regardless of intra-stateless nation differences, akin to differences within colonial nation-states, stateless nations are characterised by strong and visible resistance. The form the anti-colonial resistance takes differs from case to case, from time to time, and even within the same site and at the same time. We

don't exoticise or glorify resistance. Colonial nation-states flourish by dividing and ruling the stateless nations. Yet, anti-colonial writing both by those subjected to colonial nation-statism and by those in solidarity with them is never erased. D'Souza offers a reflective essay on her engagement with the Kashmiri and Kurdish nationalist movements. Her engagement self-consciously raises more questions than providing answers. She highlights some of the different paths taken by Kashmiris and Kurds, and the dead ends that seem to have been reached due to obstinacy, insincerity, or authoritarian oppression by India and Turkey. Despite having nominal democracy, both the colonial nation-states fear democratic demands for self-determination by Kashmiris and Kurds.

Our collection does not claim to provide a comprehensive treatment of all aspects of coloniality and conflict experienced by Kurds and Kashmiris; far from it. It is meant to be the start of a conversation. We acknowledge that we are covering only Turkish-Kurdish and Indian-Kashmiri relations, and that repression and lack of autonomy are no less egregious in other parts like Iranian-Kurdistan or Pakistani-administered Kashmir. However, given the dominance of Turkey and India, and the Kurdish and Kashmiri populations being the largest under their control, it is fair to start with them.

This book has brought together scholarship on some of the longest occupations and conflicts of the 20th and early 21st centuries, in a way that academia has usually not studied them – neither thematically in terms of coloniality, colonial nation-statism, and stateless nation, nor comparatively. The chapters in this volume showcase the diverse knowledge and expertise of the contributing authors and cover a range of topics from governance to education, nationalism to regionalism, bureaucracy to political mobilisation, and from coloniality to solidarity. This book is intended to be the start of a conversation about these conflicts, and does not claim to be a final authority.

What clearly emerges from all the contributors is the desire to go beyond conventional studies of conflict and of 'ethnic' minorities that take for granted the 'sovereignty privilege' of existing nation-states, and to interrogate the coloniality of power deployed by the colonial nation-states of Turkey and India over Kurds and Kashmiris.

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CHAPTER 2

Stateless Nations in the Contemporary Colonial Nation-Statist World

Dibyesh Anand and Nitasha Kaul

Stateless nations are those ethnonational communities that claim sovereignty over their own territorial 'homeland', espouse a history of being different from their neighbours, represent and experience their present status of being seen by the international community as part of an existing nation-state as occupation, and evoke the right to self-determination based on their distinct political identity. Stateless nations in different parts of the contemporary world are a reminder that colonialism ought not be represented solely as a Western phenomenon nor as belonging to history alone. Colonialism is very much present around us in a nation-statist world where there are quite a few colonial nation-states, some of which are seen as postcolonial.

Sovereignty is a claim first and foremost: a claim with immense power to shape and determine the lives of those over whom this claim is exercised. Assertion of sovereignty by an existing state can be based on the erasure of sovereignty, autonomy, and/or identity of territorialised ethnonational people. When there is a disjuncture between the sovereignty claims of a state over a contested territory and an ethnonational people that have their own claims and aspirations for that very territory seen as their homeland, if the wider international system privileges the views of the former rather than the latter, it is

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a case of what we call 'sovereignty privilege', akin to 'male privilege' or 'white privilege'. The existing states, by virtue of the status quo-ism of the international system, benefit from a legitimacy that comes from an actual existing control, even though that control may have limited or no buy-in from the communities and ethnonational people over whom it is exercised.

The 'sovereignty privilege' of the states puts ethnonational communities experiencing control by the states as colonial occupation on the defensive, for they are forced to articulate their political demands as individualised human rights and/or struggle for cultural survival, and/or to become part of a proxy war of neighbouring states. In cases where their demands are explicitly for political self-determination, they are vulnerable to charges of 'separatism', 'insurgency', 'extremism', and 'terrorism'. Even if the wider international community does not fully agree with the concerned state's labelling, given that it is a community of states, there are both implicit and explicit biases in favour of the sovereign state's claims vis-à-vis those of the occupied people, and this restricts the political vocabulary available for the latter. Members of the international community, in general, seek to avoid using the framing of the situation as colonisation or colonial occupation, and prefer to see it as a bilateral, multilateral, or unilateral proprietorial dispute over a territory. As Duschinski and Bhan argue in the context of Kashmir, 'Despite the historical significance of Kashmir's freedom struggle, the moment of Kashmir's designation as an international dispute was also the moment of its entrapment as a territorial contestation between two newly emerging nation-states' (Duschinski and Bhan, 2022: 336). While methodological nationalism (Wimmer and Schiller, 2002) and nation-statism are rife in politics and IR, in the spirit of challenging nation-statism (see Kaul, 2023a), the contributions in this book defy that.

The concept of stateless nations does not imply people who have been rendered without a state because, in many cases, the individuals and collectives are, under international law, part of one or the other state. So, they are technically not stateless people. However, the states of which the people are legally citizens are seen as occupiers and oppressors, and not as 'their own'. For instance, many Uyghur may be citizens of the People's Republic of China (PRC) and are not stateless as individuals; however, as a nation, Uyghurs are stateless because they are denied self-determination by being forcibly incorporated into the PRC.

Studies of stateless nations as minorities within a state or analysis of the processes through which they have been minoritised do not challenge the legitimacy of the controlling nation-state. Recognising the situation as 'internal colonialism' (see Anand, 2018) and highlighting the ways in which the existing nation-state systematically renders the concerned territory and population as subjugated is better than accepting the occupied nations as minorities. While all these approaches have their merits, we push the framing further and call for the recognition of coloniality in the asymmetrical relation between the existing nation-states and the stateless nations forcibly living within/under them.

We refer to 'colonial nation-states' and their dominant majoritarian nationalism as 'colonial nation-statism'. Our use of 'colonial nation-statism' is different from early 20th-century usage where it was nationalism in the colonies that was called 'colonial nationalism' (Connolly, 2007), as opposed to nationalism in the metropole. Colonial nation-statism is the ideology and practice of existing nation-states that use their majoritarian nationalism to deny self-determination to other ethnonational people under their control. Recognition of contemporary colonisation by postcolonial nation-states – that is, colonial nation-statism – goes hand in hand with the conceptualisation of oppressed and occupied minoritised ethnonational communities with their own notions of territorial homeland as 'stateless nations'.

What is gained from this call for recognition of contemporary colonisations and stateless nations?

A conceptualisation of Kurds, Kashmiris, Baloch, Tibetans, Uyghurs, and other ethnonational territorial communities living within, or under, nation-states[4] as 'stateless nations' performs two moves at the same time. It allows for the recognition of the colonial reality experienced by people, both individually and collectively, and for the understanding of individual and social experience of oppression as stemming from political disenfranchisement due to occupation. It also allows for a recognition of shared hope for a better postcolonial future despite the shared experience of the colonial present. That shared hope is the basis for self-determination. Resistance to the colonising occupation is an important part of the current identity of stateless nations. These involve several questions – what forms the resistance takes (peaceful or violent); what goals they have (independence, greater autonomy, some autonomy, merging with another state, or mere survival); how widespread are they (popular or niche) – these all are varied and dynamic. What is constant is despair with the status quo as well as the cultural and/or political expression of that despair.

[4] We are not including Palestinians here in the discussion because Palestinian territories are not seen as belonging to Israel by the international community. The Israeli building of settlements on the West Bank is recognised as illegal occupation. Unlike stateless nations such as Kurds, Kashmiris, and others who have no other members of the international community treating them as occupied, Palestinians are widely recognised as facing a denial of sovereign statehood by Israel. In practice, despite Palestinian authority, Palestinians also lack sovereignty due to occupation and control by Israel, and are thus a stateless nation. The reference to colonisation and settler colonialism of Israel is not seen as postcolonial colonisation but as 'Western', for Israel is seen as both Western and as backed by the West. Unlike Kurds or Kashmiris, Uyghurs or Baloch, the Palestinian struggle against the denial of sovereign statehood has overwhelming recognition and support in the international community even though that has not had tangible impact in terms of meaningful self-determination for them.

The conceptualising of a stateless nation encourages asking several questions as legitimate enquiry for academic scholarship and not only for political and rights activism. Who writes the history of people? Who gets to write it? Whose narratives of their own histories are distorted, suppressed, silenced, or erased in order to offer a rewritten history that is not subversive of the sovereignty claims made by the controlling nation-state? Who has the power to name? Can Kurds call themselves Kurds without being accused of diluting the class struggle through identity politics, without being accused of subverting Islamic unity, or without fear of retribution in the forms of dismissal, trials, incarceration, torture, or murder? Or is the only 'legitimate' and 'safe' scholarship on Kurds in Turkey one that refuses to openly name Kurds and supports the state agenda to de-develop Kurdish regions in the name of modernity, development, and/or shared 'Muslim' identity? Can Kashmiris speak of themselves as being part primarily of a Central Asian cultural world rather than an Indo-centric South Asian cultural world?

In fact, it is not a question of whether ethnonational communities and their members can speak or not, but whether they can speak without fear of retribution or not, and whether they are heard or not. When Turkey claims as its own eastern and southeastern Anatolia where Kurds dominate, and brands all electoral democratic as well as radical demands from Kurds for rights/recognition/autonomy as 'terrorist', it makes it clear that Turkish sovereignty has no space for Kurds other than on asymmetrical terms set by Turkish state. That state, both in its Kemalist-secularist and Islamist avatars, is majoritarian. As Ünlü points out, modern Turkey has been based an unspoken 'Turkishness contract' since the 1910s where the erasure and expulsion of non-Muslims (such as Armenians) and assimilation and erasure of non-Turks (mainly Kurds) are to be accepted and never spoken of (Ünlü, 2016).

The experience of Kurds/Baloch/Kashmiris/Uyghurs/Tibetans and other stateless nations without significant recognition of their sovereignty claims by the members of the international community shows how postcolonial states are not simply created without contestation. The colonisation of distinct ethnonational peoples is integral to the state formation of postcolonial states such as China, India, Pakistan, Turkey, Iran, and others. The incorporation of the homeland of other people into the nation-state may be a one-off event, but the occupation of territory and population is a continuous process of colonisation involving political disenfranchisement, military control, selective appropriation and collaboration, social transformation, cultural domestication, economic dependency, biased knowledge production, and systemic violence. Thus, the very process of nation-state formation is experienced by ethnonational communities as colonising. For example, from the very beginning of modern Turkey under Kemal Ataturk's leadership, the creation of the nation-state was seen as a social engineering project of homogenising differences (Üngör, 2011), assimilation of identities, demographic transformation, and a paternalistic labelling of Kurds as 'backward' and 'mountain Turks' necessitating civilising by advanced Turks.

A study of contemporary conflicts and colonialities through the cases of stateless nations allows us to challenge both mainstream and postcolonial IR. Mainstream IR remains statist and reduces all conflicts to relations between existing states. Postcolonial IR, that otherwise acknowledges and highlights the structuring role of colonial ideas and practices in shaping the world, is mostly focused on Western colonialism and neocolonialism (Anand, 2002). There is limited acknowledgement of the colonial practices of postcolonial non-Western states (Anand, 2012).

Contemporary colonisations

Why refer to the relation between the existing state and certain ethnonational communities asserting a distinct identity and seeking right to self-determination as colonial? We argue that, unlike the academic disciplinary divisions where colonialism is seen as a concern of history while contemporary IR is perceived as postcolonial, colonialism is very much an existing phenomenon. What stateless nations experience is not postcolonial after the end of formal Western imperialisms, but colonisation at the hands of existing nation-states, many of them non-Western, many of them past victims of Western colonialism. When we call Turkey or Pakistan or India or China colonial in terms of how they relate to Kurds, Baloch, Kashmiris, Uyghurs, or Tibetans, it is not merely rhetorical to support nationalist-activist claims. It reflects how governance takes place where every aspect of political, territorial, economic, cultural, and social life is asymmetrically controlled by the state with the purpose of delegitimising the distinctness of identity of ethnonational people and legitimising the majoritarian nationalism of the occupying state.

A study of stateless nations in the contemporary world is a study of a clash between the cartographical realities of existing nation-states and the lived experiences of those subjected to the cartographical reality against their wishes. Sometimes these realities go hand in hand with expansionist fantasies. For example, in the nationalist imaginary of India, the population of the entire erstwhile state of Jammu and Kashmir is an integral part, and thus the existing reality of the division of Jammu and Kashmir between India and Pakistan is read as a 'wound' that can be healed only by forcibly taking back what is termed 'Pakistan-occupied Kashmir' (on the use of 'moral wound' as generative of contemporary colonialism in China and India, see Kaul, 2020). Similarly, in Pakistani nationalist imaginary, the entire J&K ought to belong to Pakistan, and thus until and unless what is called 'Indian-occupied Kashmir' is 'freed from India', the project is incomplete. Pakistani-administered Kashmir (both Azad J&K and Gilgit-Baltistan) is seen as already free in the Pakistani narrative (for scholarly analysis of regions under Pakistan's administration, see Hayat, 2021; Hussain, Serena, 2021; Hussain, Shahla, 2021; Snedden, 2012). In these competing nationalist fantasies and realities, there is either a severely limited

or absolutely no say for the actual people and communities inhabiting Jammu and Kashmir. India insists that the only option is a full integration of all with India; Pakistan insists that the only dispute is over the Indian-administered part where the Muslim-majority should be allowed to determine if they want to join Pakistan or India. The option of *azadi* (independence) from both the existing states is not on the table for either nation-state. While India outright denies self-determination, Pakistan is highly selective about who should have it (the Muslim-dominant population of Indian-administered Kashmir) and what options should exist (only Pakistan or India, with confidence that the Muslim majority will vote for Pakistan).

When it comes to the play of nationalist fantasies in West Asia where Kurds are the world's largest stateless nation, the existence of different groups of Kurds is subsumed through neat lines on the map where no Kurdistan exists as a separately identifiable state and where Turkey, Iran, Iraq, and Syria occupy parts of what would be Kurdistan (McDowall, 2020). The '"Kurdish issue", has from the very beginning of the twentieth century been a cross-border issue, and it remains so to this date. The cross-border character of the "Kurdish issue" and the formation of Kurdish identities both in Kurdistan and in diaspora continue to be informed by the "state of statelessness" of Kurdistan' (Toivanen and Baser, 2019: xiv). Turkey, a dominant power in the region, seeks to negotiate with its neighbours, or fight with them, with the primary goal of defeating any symbol of Kurdish separation. Iraqi Kurdistan has a de facto existence, and even the government there is propped up, partly, by Turkey because that Kurdish Regional Government in Iraq often work against those Kurds from Turkey who seek a dignified autonomous existence. Thus, the only example of limited territorial Kurdistan is predicated upon the governing party there selling out on any pan-Kurdish solidarity. In the Turkish nationalist fantasy, Kurds do not exist as a separate nation and/or as a people within and around Turkey; when they do exist as political actors, they are either to be domesticated through the use of shared Islamism (Kurt, 2021) or controlled violently on the suspicion of 'separatism' or 'terrorism'. In case of China, Tibetans and Uyghurs are denied any political identity, as their history and culture are represented as being part of 'motherland China'. The only acceptable images of Tibetans and Uyghurs are those that portray them as happy colourful minorities that are grateful to the Han majority and to Beijing for its civilising developmental modernity. Tibetans and Uyghurs who may question these images or ask for more rights, even within PRC's own constitution, are mostly rejected as being splittist, separatist, extremist, and/or terrorist (Anand, 2018; Byler, 2021; Clarke, 2021; Tobin 2020).[5]

[5] As Yeh (2020) argues, China reconciles its support for Palestinian self-determination while denying it to the Uyghurs, by seeing the former as a permissible claim in the context of decolonisation and the latter as an impermissible secessionist claim.

Ethnonational communities whose homelands are subsumed under the territorial limits of the nation-states are denied any choice or political agency over their own fate; majoritarian Turkification (Zeydanlıoğlu, 2008) or Indianisation or Sinicisation (for this in Xinjiang, see O'Brien and Brown, 2002; Wang, 2023) etc., are seen as a civilisational necessity by the state and its adherents. The role of territory is crucial in the political imagination of stateless nations. There is a distinct affective notion of homeland that is, intellectually speaking, a highly problematic construction; the homeland is contested and often in folklores and cultural expressions alone. Nevertheless, it is cherished and held on to by various members of the stateless nation. In this, the homelands of stateless nations are no less, and no more, of contested construction than homelands of nations with states. Stateless nations' realities might be messy, significantly diasporic, homeland occupied, demographically transformed, and/or divided by outsiders, but there is a strong demand to free the homeland or at least maintain an autonomous identity there. The cosmopolitan and dispersed existence of the members of the nation does not take away from the aspiration to have self-determination in the territorial homeland. The centrality of territory in the struggle between stateless nation and nation-state is also reflected in violent, developmental governance measures taken by the state to transform the space to fit into its own narrative. Forced settlement of nomads, forcible displacement, induced migration, establishment of new settlements[6] etc. are integral to the colonisation of land. For example, the Turkish state has transformed Kurdish lands through new settlements. These 'new settlement types—rural with urban characteristics—were equated with modernisation and the transformation of traditional (read "Kurdish") into modern (read "Turkish") identity' (Gambetti and Jongerden, 2015: 6). In Indian-administered Kashmir, in addition to the military takeover of lands in the name of training and security, there is now a blatant move to encourage outsider ownership in the name of investment and development. But this effort to domesticate through development is not a new phenomenon, but integral to state-building from the very beginning. As Kanjwal points out, even in the 1950s and 60s, 'Indian government and Kashmir's client regimes propagated development, empowerment, and progress to secure the well-being of Kashmir's population and to normalise the occupation for multiple audiences' (Kanjwal, 2023: 20).

Unlike nations with states that focus heavily on the past, for stateless nations, history is mentioned to assert a distinct past and identity, but with a primary focus on hope for a future where that distinct identity is acknowledged and respected, and allowed to have a political entity through the fulfilment of self-determination. The present is mourned as a time of challenge and difficulty due to occupation, divisions, and oppression; the present is experienced and conceptualised as a colonising one.

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[6] For a study of comparison between settlements by Israel in Palestinian lands and by China in Tibetan lands, see Luo, 2019.

In addition to controlling the territory and population, colonising nation-states seek to control knowledge production (see Dölek, 2021). They allow the production of only certain kinds of knowledge that buttress the state's claims and help the state project (see Scalbert-Yücel and Le Ray, 2006). It is through sponsoring specific types of research in universities and think tanks, and peddling conformist stories through the media. This goes hand in hand with censoring dissenting voices, and bullying, marginalising and punishing those who challenge the state's preferred narratives. Both what is said and what is silenced are crucial. The states invest in both producing and controlling their preferred narratives.

The cost for scholars,[7] journalists, activists and writers who defy state control over the production of knowledge is very high, as has been the case with Turkish intellectual Ismail Beşikçi who has spent more than 17 years in prison for his work, including where he refers to Kurds as an 'international colony' (Ünlü, 2012) or with most signatories of the 'Academics for Peace' petition calling for a fairer place for Kurds in Turkey. In the case of Indian-administered Kashmir, where Kashmiri cultural identity is neither denied nor erased but appropriated and domesticated to bolster India's claim of being a country of 'unity in diversity', control over education and scholarship remains strong. Research work on Kashmir that is critical of the state is next to impossible within Kashmir, while in Indian universities the cost of doing this is rising (see Kaul, 2023b).

This reality of non-Western colonising nation-statist projects including those of China, India, Turkey, and others does also bring into relief the place of the West and orientalism. Some of the oppressed ethnonational communities facing colonial erasure at the hands of existing non-Western states often look towards the West for support and solidarity. Since the West is not an immediate enemy, it can be invoked as a possible ally. Sometimes, earlier orientalist accounts of the ethnonational communities, even when based on racialised stereotypes, are referred to by contemporary resistant ethno-nationalists to validate their identity as 'different' and 'distinct'. This is not a case of naïve self-orientalism but of survival through strategic assertion of difference. As Houston highlights in the case of the Kurds, it is not Western colonialism that is the primary interlocutor for the indigenous Kurds (2009: 22) but Ottoman and then Turkish control; the West is less relevant than the modern nation-state projects. Orientalist representations, even when negative, allow a claim to identity that the modernist nation-statist projects often deny. Kashmiris refer to earlier British colonialist accounts such as that of Walter Lawrence to tell the story of the marginalisation and exploitation of Kashmiri Muslims.

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[7] The co-editor of this volume, Kaul, has been critical of antidemocratic political projects and rights deprivation. She has been targeted by the right-wing in India for transnational repression via mobility controls, denying her entry to the country when invited to a conference on constitutional values (see https://x.com/NitashaKaul/status/1761711445375410514). Kaul's case has been covered extensively by international scholarly associations as well as rights organisations. See for instance, the Freedom House Report https://freedomhouse.org/report/transnational-repression/2024/no-way-or-out-authoritarian-controls-freedom-movement.

Modern states claim to be driven by developmentalism and refer to their 'development' of lands that ethnonationalist communities claim as their homeland. Investment in infrastructure, shaping of the economy, exploitation of resources, job creation etc. are presented as 'largesse' offered by the state and as an argument against charges of discriminatory behaviour or of rights abuses. 'We provide XYZ to these people; how can we be called colonial?' is a familiar rhetorical response. That these developmental projects are not meant to empower people nor allow autonomy but are mechanisms of control is noteworthy. In fact, development is a key tool used by colonising nation-states to domesticate a restive ethnonational people by erasing any vestiges of economic self-sufficiency or economic links with other countries, and making them dependent on the controlling state. As Kaul (2021) argues using a feminist lens, there are nine features of contemporary Indian coloniality in Kashmir: 'denial of consent, paternalism, violence, enforced silencing, lack of accountability, arbitrariness, divide and rule, humiliation and a specious idea of development' (Kaul, 2021: 114; see also Mushtaq and Bukhari, 2018, on coloniality in the discourse of women's empowerment in Kashmir). People whose lives are being transformed are never given a choice about whether they want this type of development or not. In fact, what the places experience are distorted development or even de-development (for de-development of Kurdish areas, see Yadirgi, 2020).[8] This is integral to the overriding desire of the state to exercise control.

Demographic transformation is an important part of this societal transformation. In addition to the dilution of a separate identity through encouragement of out-migration from the traditional homeland, the colonising nation-state often encourages settlement by members of the majoritarian community in the lands that are seen by stateless nations as homeland, but seen by the nation-state as underdeveloped frontiers waiting to be developed by a more advanced population. The speed of demographic settlement varies from country to country. For instance, Xinjiang has become a place where Uyghurs are minoritised since Han and Hui Chinese are incentivised to migrate and settle. In Tibet, despite the government's census data, the Han dominance of Tibetan towns is visible at every level. Eastern and southern Anatolia have been undergoing relentless 'Turkification'. Naming of the places and monuments, encouragement of mixed marriages, forced assimilation, and induced migration are all part and parcel of this. When Kurds out-migrate, they face the pressure

[8] As Turkey has faced severe economic challenges in recent years, what impact does it have on Kurdish areas? Do political and economic crises in mainland Turkey offer greater opportunity to Kurds to explore their distinct identities, or are they hindrances? Erdoğan's consolidation of power over the polity and the state continues unabated as, in recent years, the limited democratic space available for progressive Kurdish, and even Turkish, voices shrinks. While a fair amount of research exists on Kurds and the political economy (see Sirkeci, 2012; Tekdemir, 2021; Yadirgi, 2017, for instance), there is a need for more research on the recent transformation of the political economy in Turkey and its impact on Kurds, including on challenges and opportunities for the Kurdish movement through remittances from the Kurdish diaspora in Europe.

to assimilate, while at the same time, many of them, especially the working classes, continue to be racialised in a colonial manner (Deniz, 2015). Kashmir is witnessing what some scholars call settler-colonialism (see Junaid and Kanjwal, 2022; Korbel, 2021; Mushtaq and Amin, 2021; Osuri, 2022), and a big component of this is the change in demography. We find this characterisation problematic because it denies the presence of Kashmiri minorities who don't see the state as alien but as a defender, and it ignores the state's reduced, but still continuing, reliance on complicity rather than expulsion on the part of Kashmiri majority. Institutions of governance in all such cases are geared towards the assertion of control by the state through the disempowering of the people as a 'people'. While individual members of stateless nations may be incorporated into the governing institutions and even be incentivised to do so, it is almost always on terms set by the colonising state.

Coloniality of power

What is gained by focusing on contemporary conflicts as stemming from ongoing colonialities of power and by putting stateless nations at the heart of the enquiry? It leads to a shift of the main focus from studying who exercises power to how that power is exercised and how that power is experienced. It sounds commonsensical, and yet much of the scholarship on stateless nations buys into the legitimacy of the existing nation-states. Whose voice should count more when we are dealing with a colonial situation? The ones colonising but denying that they are colonial, or the ones experiencing colonial occupation and erasure from a state-dominated international system? As feminist postcolonial scholars, we would argue that that our analysis cannot be neutral in the face of questions involving a massive asymmetry of power where one side paternalistically denies the other identity and marshals the use of violence and authority through the exercise of sovereignty privilege. Our scholarly endeavour eschews claims to objectivity or equidistance, and argues for an engaged and critical scholarship that is based on challenging the status quo and is animated by anti-colonialism. It allows us to move beyond dead-end thinking and cliches about conflicts, and puts nation-states under scrutiny.

Even the meaning of 'Kashmiri' or 'Kurdish' is something that has no consensus. What makes a stateless nation a nation? Is it shared language, history, culture, faith, or belief in a homeland? These are debatable. 'No single grand narrative can capture the complexity of strategies employed by state agents (including the state's ideological apparatuses) and Kurdish contesters in response to each other, because neither of the stylised proponents of this tug-of-war is monolithic' (Gambetti and Jongerden, 2015: 4). When we speak of stateless nations' 'identity', we do not assume that it is fixed and natural. These are products of social construction, imagination, and contested political processes. They are no more, nor less, of 'imagined communities' than existing nation-states. The biggest difference is that their identity is under erasure because they are controlled by hostile state(s) that colonise them. Anthropological recognition of the constructed nature of a nation and political recognition of the contestation over

identity of that nation does not, in any way, delegitimise the claims of stateless nations to self-determine in the face of colonising occupations they experience and endure. If anything, a political community with a shared sense of belonging without the protection of its own state has more moral authority of representativeness than a state that makes sovereignty claims over it while denying the very existence of the community.

While conflicts that go with the names "Kashmir issue" (see Bose, 2005; Noorani, 2014; Schofield, 2010; Snedden, 2015) or "Kurdish question" have elements of power assertion by states against each other and/or by states against non-state actors, we argue that the most appropriate framework to study them would be through recognition of the coloniality of power. The dominant type of power operating in the conflict regions and over the bodies of ethnonational communities is one that is best described as colonial. It is marked by huge asymmetry where one side (the state) systematically shapes the identity and lived reality of the other through naming, physical control, transformation of lives, paternalistic notions of civilising, dehumanisation of representation, and everyday violence. It is neither only paternalism nor brute violence, but a mix of both. It is systematism that makes it typically colonial.

For example, the representation of Kurds as backward, savage, rural, medieval, and so on allowed Ottoman/Kemalist/Islamist Turkish nation-statist governments to portray themselves as civilising and ennobling (Demir and Zeydanlıoğlu, 2010; Deringil, 2003; Zeydanlıoğlu, 2008). As Eliassi argues, 'orientalist discourse deployed against the Kurds aims to create a hierarchical political order and buttress the idea of Turkish identity as the master identity that needs to be embraced by the Kurds in order to enter a civilized social' (2020: 280). This paternalism is closely connected to violence perpetrated by different avatars of the Turkish state over Kurds to suppress Kurdish rebellions, uprisings, and/or peaceful civil mobilisations. Whether Kurds are seen as 'too Islamist' or 'not Muslim enough', 'too radical' or 'too patriarchal', contradictory images are marshalled to conjure their identity as non-existent at best and dangerously subversive at worst. 'The main strategy of the Turkish state has been based on a cultural war juxtaposed with military violence to erase the biographies of the Kurds in Turkey' (Eliassi, 2020: 283).

Similarly, in India, imaginations of Kashmiri Muslims includes both exoticisation (see Kabir, 2009; Showkat, 2023) and demonisation, and is clearly colonial (Junaid, 2013; Kaul, 2011; Kaul, 2019b; Osuri, 2017). Varied representations of Kashmiri Muslims as innocent, beguiling, separatist, Islamist, anti-national, pro-Pakistan, thankless, terrorist, anti-Hindu, and so on allow for their subjection to both liberation discourse (India will 'develop' Kashmir, 'free it from corruption') and to different forms of militarised control. Coloniality of power is not experienced by stateless nations in an abstract, disembodied manner. In fact, much of the violence is explicitly carried out on embodied individuals and communities. Whether it be through torture, incarceration, arbitrary detention, enforced disappearance, killing, or massacres, it is embodied Kashmiris (see APDP, n.d.), Kurds, and other stateless nations over whom colonial states can assert sovereign privilege and the authority to violate, often with impunity. India has used various

mechanisms to exercise colonial control (Osuri, 2022), including 'occupational constitutionalism' (Duschinski and Ghosh, 2017). Embodied individuals are not all equally vulnerable nor subjected to similar violence all the time. Much of the colonial violence and how it is experienced is gendered, for instance.

In the Turkish context, as HDP adopted a progressive approach to gender and sexuality, including supporting and empowering LGBTQ persons, it was attacked for being against family, faith, and the cultural values of society. The progressive and inclusive approach of HDP is used by Turkish Islamist – as well as secular – nationalists to demonise HDP as being against Turkish values. More research is needed on the wider reaction in both the religious and secular societal and political domains to specific quota, as well as the lived experiences of LGBTQ individuals amongst Kurds. While there are important contributions from scholars providing a queer critique of Kurdish diaspora studies (Sandal, 2020), ethnographic insights into the complex identity politics of queer Kurds in Turkey (Karakuş, 2022), and queering the study of authoritarianism in Turkey (Sandal-Wilson, 2021), this topic requires more attention and research than is possible in this chapter.

Gender politics has been integral to Indian rule over Kashmiris. Recent scholarship has brought together Kashmiri women scholars from Muslim and Pandit communities to write about the region (see Kaul and Zia, 2018; Kaul and Zia, 2020). Moving beyond the experiences of women in conflict as victims or agents, Kaul (2018) provides a feminist critique of the obsession with Kashmir through analysing discourses of representation, cartography, and possession. In 2019, even as the Indian state incorporated Kashmir through the erasure of constitutionally guaranteed autonomous statehood (Chatterjee, 2019), arguments were made that this was 'liberatory' for women (Kaul, 2021) as well as LGBTQ persons (Das and Bund, 2020 and Gawande, 2019).

Why focus on Kurds and Kashmiris?

In international politics, it is not uncommon to compare Kashmiris and Palestinians in terms of their relations with India and Israel (for example, Essa, 2023; Osuri and Zia, 2020), and this is often rationalised as cases of two Muslim-majority people occupied and oppressed by non-Muslim majoritarian states.[9] There is also growing literature on solidarity for Palestinian amongst Kashmiris (see Zia, 2020). It is important that comparisons do not ignore differences, nor ascribe to one country the originary coloniality. Unlike other authors who compare India and Israel and often highlight India's oppression in Kashmir by

[9] There are very few works that compare Kurds and Palestinians. While Bengio (2014) provides an insight into Israel's war relations with parts of the Kurdish movement, Kurd (2022) and Akkaya (2015) highlight the learning of the radical Kurdish movement (especially PKK) from Palestinian resistance. Göner speaks of the desirability of principled solidarity with both the movements (Göner, 2023).

referring to the 'example' or 'inspiration' of Israel, Kaul points out that the designation of Israel as a unique source of learning for oppression limits the recognition of the indigenous Indian nature of the long-standing ideological and technological infrastructures of occupation in Kashmir. We must eschew simplistic geopolitical imaginaries of cooperation and oppression, and pay greater attention to the similarities as well as the differences across contexts (Kaul, 2022b).

Without challenging the importance of such comparisons, in this volume, we are driven by a need to bring into conversation two cases that have not been studied together.

While Kurds are the world's largest stateless nation, with Kurdish lands parcelled between modern Turkey, Iran, Iraq, and Syria, Kashmiris have their lands divided and occupied by India and Pakistan, with Indian-controlled Kashmir having the status of being world's most militarised zone. Both Kurds and Kashmiris are mostly Muslim but have non-Muslim religious minorities too. The current nation-states with the largest Kurdish and Kashmiri populations are Turkey and India, respectively. Turkey/India have competing forms of nationalism shaping politics – religious nationalisms as well as secular ones – but when it comes to dealing with Kurds/Kashmiris, these different forms are resolutely majoritarian and treat Kurds/Kashmiris as security threats that need to be tackled as a priority.

Without diluting the importance of the longer history, the main focus in this volume is on recent developments and what questions they raise about Kurdish-Turkish relations and Kashmiri-Indian relations. While political relations in Turkey were already fraught in recent decades, with the ascendant Islamist AKP (Adalet ve Kalkınma Partisi/ Justice and Development Party) asserting dominance without hegemony, the military being marginalised in politics, the secularist CHP (Cumhuriyet Halk Partisi/ Republical People's Party) on the back foot, the ultranationalist MHP (Milliyetçi Hareket Partisi/Nationalist Movement Party) very much present, and the progressive Kurdish-Turkish HDP (*Halkların Demokratik Partisi*/ People's Democratic Party) beleaguered in the scene, the failed coup of 2016 allowed a rapid acceleration of the authoritarian dominance by the Erdoğan-led AKP. Erdoğan used both the coup and the Kurdish resistance to legitimise democratic backsliding. The secularist Turkish opposition refused any act of solidarity with secularist Kurds, even as the HDP bore the brunt of Erdoğan's pressures. The initial promise of greater accommodation of Kurds by Islamist nationalists, as different from secular nationalists, was replaced by a closer coordination between Islamists and hardcore Turkish nationalists. The national election of 2023 that was tightly fought and strengthened Islamist Erdoğan's alliance with far-right nationalists reinforced the trend that has been there since 2016. Thus, there is an ongoing phase of Kurdish marginalisation through authoritarian state behaviour. Kurds have never had constitution-protected autonomy in Turkey, and it is not even on the political agenda.

The situation for Kashmiris in India is quite different. Despite wars with neighbouring Pakistan, decades of intervention under the guise of counterinsurgency, and the de facto dominance of governance from Delhi (Kaul, 2010),

Jammu and Kashmir had constitutionally protected autonomy, even though in practice this was more de jure than de facto. However, the Hindu nationalist-dominated parliament in August 2019 bifurcated Jammu and Kashmir into Ladakh, and Jammu and Kashmir, converted both into Central Government-managed Union Territories, and thus ended autonomous statehood. While these constitutional changes were being rushed through, political leaders with all shades of views in Kashmir – both pro-India and anti-India – were imprisoned, there was an imposition of communications blackout, and the entire population was forcibly silenced (Kaul, 2019a). The ending of autonomous statehood since August 2019 did not come out of the blue; it was part of the incremental colonisation of Kashmiri lives by the Indian state. Yet, it marks a new phase in Indian-Kashmiri relations, for even the pretence of rule through local democracy and through a local collaborator class (on the role of collaborating Kashmiris in asserting Indian colonisation, see Kanjwal, 2023) has been dispensed with.

The future is uncertain for both Kurds and Kashmiris in Turkey and India. As we write this, enforced silence, along with bursts of (sporadic and episodic armed) resistance as well as efforts to use electoral competition to secure some rights, seems to be the most common expression to reflect the situation. The new phase of colonisation is one where accommodation and collaboration are being replaced with absolute control, direct violence, very limited space in democratic machinery, and mostly unashamed authoritarianism.

There are many similarities as well as differences between the two cases. The Kurds in Turkey have never had any autonomous state or provincial status; Turkification has a very long history in the region; for many decades, the very existence of Kurds as people and the Kurdish language were denied; Kurds were politically domesticated using shared Islam and encouraged to be part of Turkey's state-building through genocidal violence against non-Muslim inhabitants such as Armenians. Denialism has been an important part of the Turkish state project. Economically, Kurdish-dominated regions are seen as 'backward' and 'rural', and a primary way in which Kurds make a living is by migrating to Turkish-dominated cities and taking up lower-paid jobs. The attitude towards Kurdish migrant labour shifts from a paternalistic one ('poor them, we must do more to develop them') to outright hostility ('"dirty" Kurds coming and taking away work from our fellow Turks'). There is a big focus on dilution of the Kurdish identity through social and cultural mixing with Turks, to an extent where a significant section of erstwhile Kurds do not identify as Kurds first and foremost; this dilution goes hand in hand with the racialisation of many Kurdish workers (Yarkin, 2023). During the secularist era, Kurds who refused to assimilate were demonised for being 'too Muslim' or 'too leftist'. In the ongoing Islamist era, they are demonised for being 'too leftist' or 'too progressive'. The homogenisation of Kurds in Turkey, regardless of whether it is secularists or Islamists who dominate, is on terms set by the state and those who control the state. Kurds, when they express any aspect of Kurdishness, are treated with

suspicion. Politically, when Kurds have mobilised effectively in recent decades using electoral democracy and party politics, they have faced severe obstacles from the state and Turkish nationalists of all hues. Constitutional electoral participation and mobilisation are treated with suspicion as Kurdish leaders are accused of being sympathetic to, if not an outright front for, 'terrorists' (read 'PKK', the Kurdish Workers Party). In recent years, this crackdown on Kurdish progressive politicians and activists has been rampant as several of them were imprisoned. They are all charged with having sympathy for the PKK even though many of them have spoken publicly about their differences from the PKK. Kurdish movements are accused by Islamist Turks of being un-Islamic because they give prominent roles to women, and at the same time Kurdish communities are treated as 'backward' and more 'patriarchal' by secularist Turks. The contrasting images of 'patriarchal Kurds' and 'feminist Kurds' are thus both weaponised to present the Turkish state as benign and better. Turkey has engendered and exploited intra-Kurdish differences.

Unlike the Kurds, Kashmiris have had de jure autonomous statehood within India until recently. Kashmiris did not face denial of their very identity but a domestication of it. Over the decades, Kashmiris have been exoticised and Kashmir represented as 'paradise on earth' and the 'crown' of India. While these positive representations did not imply respect for demands for self-determination, the Indian state continued to claim that it provided self-representation to Kashmiris through elections and within the federal structure where Jammu and Kashmir had more autonomy than most constituent states. Until recently, Kashmir was touted by secular nationalists in India as an example of India's secularism, since it was the only Muslim-majority state in Hindu-majority India. However, in the last two decades marked by ascendant Hindu nationalism, that very Muslim-majority status has been portrayed as the biggest threat to India's security. The dilution of that 'threat' has been a high priority for Hindutva as well as pliant secularists in India. 'Kashmir is an integral part of India' is a mantra no political actor within India is able to, or willing to, challenge. Economically and socially, Kashmir's status is much better than many Indian states. While Kashmiri traders can be found in different parts of India, the dominant movement of cheap labour is from Northern and Eastern India to Kashmir. This is thus the reverse of what Kurds experience. In her conceptualisation of 'econonationalism', Kaul (2021) analyses how India uses the language of 'development' to exercise further control over Kashmiri lands and resources. Kashmiri Hindus, a religious minority who experienced exodus from Kashmir at the start of armed rebellion in early 1990s, have come to acquire a paradigmatic status as 'victims' who must be avenged, and Kashmiri Muslims as a suspect community that must be punished/controlled/transformed to avenge the suffering of Kashmiri Pundits (Kaul, 2016, 2017). The Hinduising Indian state presents itself as one that will redress the pain and grievance of Kashmiri Pundits, by rejecting the secular Indian state deemed to have failed and punishing Kashmiri Muslims who waged the armed rebellion in the first place. The Indian state thus deploys a divide and rule strategy to

exploit intra-Kashmiri differences. While Kashmir's land is Hinduised (there is a long pedigree to this; see Rai, 2004) through the high-profile promotion of religious pilgrimages, Kashmiri Muslims' religious identity is sought to be depoliticised. Assimilation even in recent years is not to the same extent as in the case of Kurds, and that is because the majority religions of Kashmir and India are different, while those of Kurdistan and Turkey are broadly the same. In the Kashmiri case, it is more that cultural appropriation is taking place where what is 'Kashmiri' is presented as 'Indian', and the distinctness is underemphasised. Unlike Turkey, India's ruling elite have mostly emphasised 'unity in diversity' and differences are promoted and celebrated so long as they are depoliticised. Kashmiri society is portrayed as economically resilient but due to heavy investment and a 'generous sacrifice' from India. It is often portrayed as socially backward not due to lower indices in education, literacy, or health, but because of Islam and local patriarchy. Since 2019, the speed of change has been rapid, including when it comes to land ownership. Various laws have been changed to ease the buying of land by non-Kashmiris; even the right to vote is being extended to those who were not state subjects but are residents. The move is in the direction of diluting Kashmiri Muslim control over the land and politics.

Stateless nations including Kurds and Kashmiris collaborate and accommodate, as well as resist the exercise of colonial power by the nation-states of Turkey and India. What makes members of stateless nations de jure equal citizens but de facto disenfranchised subjects in an existing nation-state that occupies it colonially is the absence of choice. When a territorial homeland, or part of it, is lost and incorporated into a larger colonising state, the ethnonational community's concern is given no agency. They are subjected to varied forms of control and violence, and the only existence that is allowed is one determined by the controlling state claiming sovereignty. Resisting subjects may or may not always use the universal language of rights or self-determination, but that does not dilute their need to be heard. When Parveena Ahangar, Kashmiri human rights defender, mother of a young man forcibly disappeared by the Indian state, and chairperson of the Association of Parents of Disappeared Persons (APDP), speaks of her pain and that of other parents awaiting their sons' return, she uses both the language of human rights as internationally understandable and also the language of experiencing and witnessing pain that is culturally rooted (see APDP, n.d.). Similarly, Duruiz points towards some of the Kurdish narratives; their call does not evoke human rights, the universal human community, the mercy of the Turkish state, or the support of civil society, but their call is to witness:

> Witness the pain my body is in, witness the humiliation of my homeland, witness how radical my claim to humanity sounds, witness the collapse of your fantasy that you and I, your West and my East, your world and my world are equal. Witness this and accept that you will never fully

> understand what I am going through because it is not you but me who is forced to work under these conditions. And maybe, only maybe, if your flesh is cut really deep and you allow my life to leak under your skin, you might be welcome to try to understand (Duruiz, 2015: 306–7).

Both Kurdish and Kashmiri questions go beyond Turkey and India, and the transnational aspects make the conflicts even more entrenched and complicated. So, it is not simply a one coloniser-one colonised situation. Since the early 20th century,

> Kurds had to face not only exclusive nationalisms and repressive states but also militarized inter-state borders. While previously they were submitted to only two central authorities, now they depend on four distinct capitals, obliged to learn one of the exclusive national languages and, more importantly, evolve in sharply contrasting political cultures, with different official ideologies, national narratives or regional and international alignments. … But a cross-border national 'reservoir' of myths, symbols, and plea was there, ready-made for the future mobilisation process (Bozarslan et al., 2021: 4, 5).

In the case of Kashmir, while Kashmiris have sought to either internationalise the issue or put themselves forward as a party in the negotiations, for a long time Pakistanis and Indians saw it as a bilateral matter, while in recent years India has insisted that it is an internal Indian matter. Kashmiris are denied a seat at the table, even when negotiations do take place. In recent years, with worsening relations between India and Pakistan, even the pretence of diplomatic negotiations has been given up.

The different fates of Kurds in different nation-states has led to very diverse political developments amongst Kurds, developments often at odds with each other.

> [I]n the course of the twenty-first century, the emphasis on the Kurds as a people without a state became one of the Kurds as a people beyond the state. On the one hand, this has been expressed in the regression of the proto-state in the Kurdistan Region in Iraq (Basur, or southern Kurdistan) to family- and tribal-based politics, while on the other hand, it has involved attempts to establish an alternative to the state in the Kurdistan region in Syria (Rojava, or western Kurdistan) (Jongerden and Akkaya, 2021: 805).

There is very limited evidence of solidarity from other communities towards the Kurdish struggle, even when those communities might themselves face repression from an existing nation-state. Even when Kurdishness is integral to resistance, it is ignored or invisibilised as we witnessed with the 2022–23

protests against the Iranian regime. Triggered by the death of the Kurdish young woman Mahsa Amin, the Kurdish slogan *Jin, Jiyan, Azadi* [Women, Life, Freedom] was taken over by all protest groups, even as Persian hegemony was exercised and the Kurdish roots ignored. Kurds are themselves divided over their future, as shown by the following:

> The struggle for independence connected the case of a Kurdish nation-state to the universal principle of self-determination (wherein the denial of the right to establish a state would be the denial of a universal principle of international politics), while Marxism–Leninism placed the Kurdish case in the broader context of a dialectic between oppressor and oppressed (wherein the ending of this oppressive relationship would free both, thus allowing them to establish new relations based on equality) (Jongerden and Akkaya, 2021: 808).

Yet, these different solutions are most unlikely, given that they all pose a direct challenge to the sovereignty privilege of heteropatriarchal states and to majoritarian nationalisms. It should come as no surprise that Abdullah Öcalan, the key leader of PKK, remains in prison while progressive Kurdish movements face existential attacks from the Turkish state in and beyond Turkey.

In the case of Kashmir, the Kashmiri response has been diverse and marked by divisions and differences. Within the valley itself, the epicentre of Kashmiri resistance, demands have ranged from autonomy within India, to independence from both India and Pakistan, and to the option to merge with Pakistan. Both violent and non-violent resistance have been deployed (Duschinski et al., 2018), and yet Indian and Pakistani claims to sovereignties have remained unchallenged in the international arena. '*Kashmiri liberation requires a transformative approach to international law that is driven by people's long-standing affective histories, lived practices, and legal and extralegal struggles for power and control over land and resources that challenge the sovereignty claims of existing nation-states*' (Duschinski and Bhan, 2022: 337, emphasis original).

It is, however, important to bear in mind the intra-place differences, as Mir so rightly points out in her chapter in this volume. How can self-determination work in a place with severe regional, ethnic, linguistic, and religious cleavages (see Hussain, Shahla, 2021)? How to ensure that self-determination does not replicate majoritarianism? How should we acknowledge that resistance movements have sometimes been exclusionary and deployed violence not only against the state but those they see as minorities or dissenters? What accounts for the fact that anti-India resistance in Kashmir remains mainly a Muslim and Valley phenomenon, with most minority Kashmiri Pandits and Sikhs feeling victimised? The conflict has affected all kinds of Kashmiris and continues to communally divide and polarise responses to it. Kaul (2019a) has steadfastly called for a non-sectarian understanding of Kashmiri suffering beyond religion, which can hold together the real pain and loss suffered by Kashmiri Pandits, along with that suffered by Kashmiri Muslims, and all other Kashmiris. As

with Kashmir conflict, similar complexities and differences exist within Kurdish conflict. There are no easy answers, but that should be no excuse for perpetuating the colonial status quo.

Conclusion

We do not propose solutions to the conflicts, we do not provide a manifesto of solidarity (on the problematic politics of solidarity and Kashmir, see Kaul, 2022a), and we do not claim sole authority on the subject. What we do here is make a simple but powerful argument. The colonial practices of postcolonial states in the contemporary world are at the root of several conflicts, especially those that are asymmetric between nation-states with sovereignty privilege and those whose claims to statehood are seen as seditious, separatist, and secessionist because no other state recognises their claims. Kurds and Kashmiris, despite being large nations, remain stateless as their ideas of homeland are subsumed under lines and borders drawn by states and actors that consider them dispensable and erasable.

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CHAPTER 3

Colonialism and Conflict in Hegemony: Party Politics and the Kurdish Struggle in Contemporary Turkey

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Introduction

The Kurds are the largest stateless[10] nation in the world, with a population of over forty million (McDowall, 2021). During the modernisation and centralisation of the Ottoman Empire, the Kurdish political authority, the emirates, lost its de facto territorial autonomy. As a result of the First World War, these emirates and polities were predominantly divided between four new nation-states emerging from the dissolution of the Ottoman imperial rule in the Middle East: Iraq, Iran, Syria, and Turkey, which is a product of the colonial legacy (Beşikçi, 2004; Fratantuono, 2019). Older forms of accommodation, where the suzerainty of empires was acknowledged, gave way to modern ideas of nationhood. Turkish, Arab, and Persian supremacism imposed by these states left little room for co-existence with Kurds as equals. The Westphalian sovereignty order created the so-called 'Kurdish question', as Kurds resisted their forcible assimilation within

[10] A distinct ethnic group with claims to nationhood but without their own sovereign state.

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these emerging nation-states, which employed modes of governance that were colonial in nature. Different Kurdish political actors in these countries have spent at least a century trying to seize the missed opportunities offered by the modern world, including independence, decentralisation, constitutional citizenship, recognition, national demands, democratic rights, and post-national democratic confederalism. However, they have mostly faced denialism and collective violence, including genocide, ethnic cleansing, torture, and assimilation (Mohammadpour and Soleimani, 2021).

Turkey has the largest Kurdish population in the region, with approximately twenty million Kurds (McDowall, 2021). Here, the Kurdish movement mainly employs parliamentary politics, although the armed struggle of the Kurdistan Workers' Party (PKK) receives more attention. For decades, Kurds have struggled against Turkish rule and forced assimilation in the nation-building process, particularly during the 1930s when Kemalist cadres did not hesitate to adopt colonial practices and the philosophy of social Darwinism perceiving different people as of weak or advanced race to justify notions of Turkish ethnic superiority, positivism, and laicism (Bozarslan, 2018). The Turkish Republican colonial project involved changing Kurdish place names, forcing people to adopt Turkish names, and banning the Kurdish language as part of a nation-building effort through Turkification. Despite these efforts, the Kurdish identity persists and remains distinct, being a complex and multifaceted construct, shaped by various historical, cultural, and social factors (Gunter, 2018). Kurdish customs and traditions are deeply rooted in a rich history that spans thousands of years. For instance, the Kurdish language, a member of the Iranian branch of the Indo-European language family, is a vital symbol of Kurdish cultural heritage and identity (Eppel, 2016). Overall, Kurdishness is a dynamic and evolving phenomenon that encompasses linguistic, cultural, territorial, historical, and experiential dimensions. It reflects the unique heritage, aspirations, and resilience of the Kurdish people in their pursuit of recognition, national rights, and self-determination.

However, the Republican administration governed the peripheral Kurdish regions according to their 'Eastern Reform Plan' and thus acted as a 'mimic coloniser' within the territory and against the domestic communities. It was not a radical break from the past: since the late era of the Ottoman empire the political elites had developed a European style of 'borrowed colonialism' (Deringil, 2003) and treated the country's periphery as a colony, justifying this as a means to unify the remnants of the old empire (Fratantuono, 2019). The colonial practice continued with no official-public colonial status (Yarkin, 2020). Gas warfare was used alongside assimilation, for instance, in the case of the Alevi Kurds in Dersim/Tunceli (Jenkins and Cetin, 2023), to 'civilise' them. 'General Staff Marshal Fevzi Çakmak argued that Dersim could not be won over by compassion but had to be treated as an internal colony' (Turkyilmaz, 2016: 170). Republican rulers implemented a policy of colonisation in Kurdish areas that were imagined as 'unoccupied' national territory of the Turks. As

contributors in this volume argue, colonialism is not only a European practice but can also be used by postcolonial/non-Western states within what they consider their national territory (on Turkey, see Harris, 2008).

In the state's denialist discourse, the Kurds were identified as 'mountain Turks', people who spoke 'broken Turkish'. As a reaction, the Kurdish political movement has portrayed the uneven development of the region as a colonial discursive practice. They have represented a collective Kurdish identity and made demands in the parliament since the multi-party system was introduced after the pluralist election in 1946. In the initial decades, Kurds gained democratic political experience through their involvement in different Turkish political parties; since the 1990s, the focus has been on creating their own political parties with some commitment to Kurdish national demands. Yet, as the recent experience of the Peoples' Democratic Party (HDP)[11] shows, there are limits to how much can be achieved by Kurds through the electoral system in Turkey.

This chapter has three parts. Firstly, it analyses the internal colonialism and marginality of Kurds pre-2016 by providing a brief overview of the historical trajectory of the pro-Kurdish political parties. The state apparatus primarily employed coercive methods of oppression and denied the participation of others in building a hegemonic colonial nationalism (McDowall, 2021). The study traces the literature on hegemony – within colonialism, nationalism, authoritarianism, and populism – as a theoretical approach that offers an understanding of the antagonism between the colonial project and an anti-colonial movement.

Secondly, it assesses the transformations in the Kurdish national movement through the emergence and functioning of a left-wing populist party, the HDP. The party synergised with various social movements, including urbanised groups in western Turkey, especially after the Gezi protest in 2013, and thus went beyond an exclusivist Kurdish national identity to a progressive democratic political identity. The HDP became the third largest and second strongest opposition party after electoral success in the June 2015 general election. It caused an organic crisis for the dominant AKP. However, electoral success led to a greater crackdown and marginalisation soon after. The Kurdish political actors, as well as other democratic grassroots organisations, rather than being

[11] While this chapter was being written, a significant development unfolded with the looming threat of closure against the Peoples' Democratic Party (HDP). In response, the HDP made the strategic decision to participate in the elections under the banner of the Greens and Left Future Party (Green Left Party) in March 2023. However, a vital transformation occurred when the Green Left Party opted to rebrand itself as the Peoples' Equality and Democracy Party (HEDEP) in October 2023. However, the journey of the new party took a challenging turn when the HEDEP changed its short name to the DEM Party, which was not accepted by the Supreme Court. This pivotal moment marked a significant shift in the trajectory of the Kurdish political movement, necessitating its departure from the Turkeyness endeavour and reclaiming its identity as a pro-Kurdish party once more.

respected, were further criminalised, terrorised, and persecuted by the AKP government. The HDP's decolonial radical democratic hopes were derailed, especially with the collapse of peacebuilding in 2015 and the authoritarian measures of the R T Erdoğan administration since the failed coup attempt in 2016. Polarisation, discrimination, and communal violence against the Kurds increased in the public sphere after the crackdown on the HDP.

The final part claims that the HDP is now faced with the issue of survival. The party is threatened with closure and isolation, as other opposition parties are not willing to be associated with it. The AKP's fundamental right-wing populist form of denialist policies whips up a collective emotion and morality that emphasises faith, pride, anger, and fear, and targets the HDP as inimical to faith and the nation-state. Islamist as well as secular Turkish nationalists perceive democratic demands through the lenses of national unity, sanctimony, fears over state security, and the issue of sovereignty, and therefore prevent the possibility of alternative conflict resolutions, including better accommodation of progressive aspirations within the system.

Colonialism as hegemony: Domestic form of exploitation

This chapter builds upon the Gramscian approach towards national-popular and counter-hegemonic struggle (Gramsci, 2005). It considers the relevance of Gramsci's critique of the civilising project, that is the project of colonial nationalism, with reference to his strategies against internal colonialism via the war of position (cultural and moral leadership), the war of manoeuvre (mass movement), and the war of frontal attack (armed struggle) (Patnaik, 2013). This analysis aims to reveal how conflict, the collective will, common sense, the historical bloc, and the hegemonic struggle between the superordinate and subordinate are perpetuated and practised through popular discourse and democratic national defiance. Gramsci's concept of internal colonialism, which he applied to examine the Southern question in Italian nationalism (Patnaik, 2013), serves as inspiration to articulate the unequal income distribution and power between a coloniser (Casanova, 1965; Chavez, 2011) and an anti-colonial movement. Contemporary politics in Turkey is dominated by a right-wing populist discourse of moral superiority and Turkishness legitimated by reference to Islam. It rejects any autonomous Kurdish political identity in the name of national unity, brotherhood, sovereignty, territorial integrity, security, and counterinsurgency. We are thus dealing with a case of internal colonialism.

Halliday (1999: 2) states that 'hegemony is both a certain kind of social alliance between the rulers and other social groups and a particular set of values that reinforce a given political and social system'. It is the production of a cultural system that promotes consent and thereby serves to legitimate the position of the hegemonic candidate. Hegemony is shaped within civil society and is about the ability of dominant groups to signify discourse, exert cultural

influence, and even force it on others when it is necessary to exercise leadership as well as to preserve the dominant group's status (Gramsci, 2005). Hegemony is simply a balance between coercion and consent. If coercion overrides consent, for example, under colonialism with the use of cultural assimilation, economic exploitation, and political oppression, a reaction occurs. This can be seen in the case of subalterns, i.e. outsiders or minority groups who seek alternative hegemonic projects (Anand, 2019). Such decolonisation movements reject the existing colonial order by building political alliances and educating the masses as organic intellectuals exercising moral and cultural leadership to lead a struggle. Internal colonialism explains racial inequality and ethnic conflict (Damien, 2005; Hechter, 1975; Hind, 1984). However, a conflict over national identity or self-governance is no longer decided simply by the outcome of an armed struggle against the state, but by the success of the hegemonic struggle in civil society (Patnaik, 2013). The use of passive revolution by a progressive underdog movement, e.g. left-wing populism, to achieve emancipation, such as through radical democracy, may occur to transform the regime (Laclau and Mouffe, 2014). Democracy may become an important tool of the decolonial movements, for example, by employing parliamentarian politics to challenge or transform the regime in a passive revolution. The political party as a 'modern Prince' produces both a hegemonic and counter-hegemonic culture by building a historical bloc (Gramsci, 2005), as power always grows out of alliances.

The hegemonic formation is an important issue for democratic struggles; thus, the connection between democracy and hegemonic movements is vital for understanding the nature of power. Legitimacy is an important source for an authoritarian regime. For instance, when there is a crisis of legitimacy for the oppressor, as in the case of failed colonisation, the oppressed can mobilise to fill the power vacuum with an alternative progressive culture to challenge repression and other autocratic solutions (Gramsci, 2005). The 'historical bloc' needs to build a strong hegemonic culture that includes many groups, and needs to expand the alliance beyond class politics to gain the consent of society at large. Hegemony is always in the process of being articulated; it never reaches a final form, and thus democratic politics formed in such a power struggle is structurally open and contingent.

Historically, the Turkish state has had a problem with legitimacy for the Kurds in its use of colonial subordination without consent and the refusal to recognise its own colonial status (Beşikçi, 2004; Yarkin, 2020). Yet hegemony can deviate from its democratic trajectory as in the case of the state and the Kurds, and become associated with internal colonisation (Kurt, 2019; Turkyilmaz, 2016) shaped by political domination, suppression of cultural differences, and economic exploitation. The HDP's radical democracy emerged as a decolonisation project in response to the Turkish state's coloniality. The HDP highlights the racial violence and unequal income distribution that adversely affect Kurds. The party's emancipatory struggles were shaped by postcolonial critiques, and indigenous (Unal, 2022), feminist, and environmental discourses.

Decolonial tradition of the Kurdish political parties

The Kurdish parliamentarian movement emerged well before the founding of the HDP and was shaped by regional geopolitics in the anti-colonial struggle for linguistic, cultural, and collective identity rights, and constitutional recognition. Additionally, the movement aimed to contribute to Turkey's process of democratisation and its desire for European Union (EU) accession (Tekdemir, 2021). The pro-Kurdish parties challenged the state's internal colonial record by proposing a restructuring of the form of the state and offering a democratic solution to the Kurdish question and the long-term civil conflict (Ayan-Musil and Maze, 2021). Meanwhile, the Kurdish social movements employed street politics, *serhıldans* [a Palestinian-style intifada], to further their decolonial demands. They refused to accept political discrimination and the labelling of the Kurds as a threat, and as separatists and traitors. The sociopolitical mobilisation rejected the Turkish chauvinist and colonial arrogance that socially stereotyped Kurds as backward, illiterate, and poor, as petty criminals, muggers, *kıro* (evoking racist slurs used against Blacks in the US), and illegal electricity users, and an obstacle to joining the EU (Ünlü, 2018). They also stood against many other racist slurs such as 'the best Kurd is a dead Kurd', 'dirty Kurds', or 'Kurd with a tail' (Yarkin, 2020).

The tradition of decolonial politics among Kurds began with the establishment of the People's Labour Party (HEP) in 1990. This followed the upheavals of the 1980s when a brutal coup, along with prison torture, including at the infamous Diyarbakir prison, drove more Kurdish youths to join the PKK (the Kurdish Workers Party) in the fight for popular sovereignty. Like other leftist organisations of the 1960s, the PKK believed in Marxist–Leninist anti-colonial liberation (Yarkin, 2020). The state was viewed as a coloniser (in the Fanonian sense), and the PKK initiated an armed insurgency for an 'independent Kurdistan' (Yegen, 2016). Instead of mitigating its brutality, the state adopted additional colonial practices to subjugate the Kurds. These included internal displacement, the forced participation of residents as state-appointed village guards, economic migration and evacuation, the burning of villages and forests, the cessation of agricultural and husbandry production through force, torture, extrajudicial killings, and enforced disappearances. 'The PKK cadres also committed many crimes and human rights violations, including extrajudicial executions and the murder of civilians' (Yarkin, 2020). The territorial conflict between state security forces and the PKK via revolutionary warfare has, to date, cost approximately 50,000 lives, mostly Kurds (Yegen, 2016).

The opportunity for civilian politics was severely limited in the 1990s. The HEP was banned by the Constitutional Court in 1993 on the grounds of its 'links to terrorism and separatism', although it had secured the election of 18 MPs via the Social Democratic Populist Party (SHP). The legacy of the HEP was inherited by its successors: the Freedom and Democracy Party (ÖZDEP), Democracy Party (DEP), People's Democracy Party (HADEP), Democratic

People Party (DEHAP), Free Party (ÖP), Democratic Society Party (DTP), and Democratic and Peace Party (BDP). Due to the 10% threshold required to enter parliament – the highest in Europe – these parties did not field candidates in elections under the name of their own party, but as independents or within a party block strategy: 'Candidates of a Thousand Hope' and the 'Block of Labour, Democracy and Freedom'. The names of these parties strongly suggest that they invoked the discourse of democracy, the people, peace, and freedom. Their priorities were the national and decolonial demands of the Kurds, such as the recognition of Kurdishness, decentralisation, and regional autonomy (Celep, 2018). Up to 2009, seven of these parties had been shut down on accusations of links to 'terrorism and promoting separatism', and two dissolved themselves, while many of their members were killed, assassinated, disappeared, imprisoned, or exiled (Watts, 2010). Things only began to change in the last decade. While the state is colonial, one must not forget that the societal chauvinism that Kurds face extends beyond the state. For example, '62.2 per cent of Turks do not want to have a Kurdish work partner, 47.4 per cent of Turks do not want to have a Kurdish neighbour, and 57.6 per cent of Turks do not want to have a Kurdish bride' (Yarkin, 2020: 2712).

In such a hostile and contested background, the HDP was founded in 2012 using decolonial and left-wing populist discourse within the Democratic Society Congress (DTK) (Grigoriadis, 2016). The HDP expanded its scope after the Gezi protests in Istanbul in 2013, Arab Spring, and Syrian civil war in the Middle East during the *zeitgeist* of global unrest characterised by Occupy, anti-austerity, and decolonial movements (Goksel and Tekdemir, 2018). The rise of the HDP was related to other events such as the attempted conflict resolution between the state and the PKK, the imprisoned PKK leader Abdullah Öcalan's conciliatory *Newroz* [New Year] speeches that proposed a democratic solution to the Kurdish question, the PKK's ideological and organisational transformation and its suggestion of no longer an independent Kurdistan but a move towards democratic autonomy by reference to an anarchist municipality (Yegen, 2016). The heterogeneous group of people who came together during the Gezi protest (Goksel and Tekdemir, 2018) felt that they had no voice within the traditional centre parties and had lost faith in politics as these mainstream parties were unresponsive to their democratic demands. They turned to the HDP, a more responsive political group that had their interests at heart. Kurdish politics was thus shaped through a double movement.[12]

[12] It refers to a dual strategy of Kurdish politics: On the one hand, a Kurdish-led party (HDP) uses liberal leftist values (without prioritising the Kurdish identity) to embrace different groups, hence integrating into the system to democratise the entire country in a passive revolution. On the other hand, a pro-Kurdish party (DBP) mobilises the popular sovereignty within Kurdishness to gain national rights in regional politics and a revolutionist approach.

The BDP, as the latest archetype of the pro-Kurdish parties, changed its name to the Democratic Regions Party (DBP) and maintained its ethnonationalist requests, i.e. self-determination under the DTK, NGOs with a special focus in the east and southeast of the country (Çiçek, 2016). On the other hand, the HDP sought to go beyond the Kurdish-populated region and constructed a left-wing populist discourse inclusive of all of Turkey; its reference to 'Turkeyness',[13] 'we are', 'new life, and 'social peace' embraced different segments of society and hence promoted diverse democratic demands, including those based on class, gender, and religion[14] (Burç, 2019). The HDP, *Halkların Demokratik Partisi*, acting as an organic intellectual force, started to develop a new cultural hegemony across the country and began to establish a rainbow alliance among heterogeneous groups. The party referred to *halklar* [a plural people] rather than *halk* [people in the singular] in its name. With its wide range of affiliations,[15] the party created a chain of equivalence as an alliance of people between anti-establishment minority groups, liberal Muslims, Alevis (see Jenkins and Cetin, 2023), non-Muslims, ecologists, LGBTs, feminists, radical leftists, and social democrats on the one hand, and progressive Kurdish nationalists, pious Muslim Kurds, and 'white Kurds' in the cities who had become integrated, urbanised, or partly assimilated on the other hand (Tekdemir, 2021). The HDP was set up as a Kurdish-led rather than a pro-Kurdish party. The co-leadership (of which one had to be female) did not aim to prioritise a single identity over any other and embraced an inclusive left-wing populism instead of ethno-populism. The party's logo was a tree that signified both the Gezi social movement and the political resistance of the Kurds (Demirtaş, 2021), and the party's desire to deepen and widen democracy. The aim was to achieve hegemonic power in support of radical democracy, which is an anti-colonialist project by its very nature, to transform the nation-state into a passive revolution within a representative democracy, rather than an exodus from it. It emerged as an alternative method in both the *Kurdification* and *Turkification* missions (Çiçek, 2016).

The HDP's anti-establishment rhetoric opened up more opportunities on how to restructure state institutions and relations with society. For example, during the presidential election in August 2014, HDP leader Demirtaş obtained 9.7% of the votes, while in the preceding general election, the pro-Kurdish BDP scored only between 6 and 7% (Grigoriadis, 2016). The HDP passed the 10% threshold of getting into parliament with 13.1% of the vote and secured 80 MPs in the National Assembly in 2015 (Celep, 2018). The HDP challenged the AKP's

[13] These terms address the unity of peoples (including community and nation). For a Kurd, Turkeyness means becoming a citizen of Turkey not assimilating under ethnic Turkishness. Turkeyness is thus a civic form of citizenship and a challenge to the Turkification that has been at the heart of the colonising state project since the early 20th century.

[14] See https://hdp.org.tr/en/peoples-democratic-party/8760/

[15] See https://halklarindemokratikkongresi.net/hdk/bilesenler/497

parliamentary majority and electoral hegemony, as the AKP had always won a clear majority since 2002. It was also the first party to have a 50% gender quota and included a tenth of its candidates as LGBT, a rare example in the world of politics in terms of egalitarianism and libertarianism (Burç, 2019). The HDP played a vital role in the peacebuilding between the government and the PKK (Tekdemir, 2016) during the ceasefires, Oslo negotiations, and Dolmabahçe Palace Agreement in 2015 (Gurses, 2020).

Since the July 2015 general election, the AKP administration has exerted increasing pressure on the HDP. This pressure is evident in the AKP's discourse on security across various platforms, including social media. For example, property owners refused to rent offices to the party outside of Kurdish areas during the election campaign (O'Connor and Baser, 2018). When the Turkish-Kurdish peace process[16] failed due to various internal and external factors – such as Kurds seeking autonomy in northern Syria after defeating the Islamic State (ISIS) – military intervention within and beyond borders once again became Turkey's preferred approach. Turkey's transborder military operations in northern Iraq against the PKK and in northern Syria against the Democratic Union Party (PYD) contributed to the erosion of trust in Turkey's commitment to peace with the Kurds. This escalation of violence became a grim reality in the region. Bozarslan (2018: 20) contends that Erdoğan aimed for 'the Kurds to renounce, both in Syria and in Turkey, any independent political line and to accept being at the service of Turkishness and Sunnism, i.e., its hegemonic bloc in Turkey and his hegemonic ambitions in the region'. During the Kurdish fight against ISIS in Syria, Turkish Kurds supported the battle of Kobani and criticised the AKP's foreign policy towards Syrian Kurds in street protests in October 2014.

In the eastern region, Kurdish nationalists clashed with the political Islamist Hüda Party, which had ties to the paramilitary group Hizbullah led by Kurds (Kurt, 2022). This internal conflict mirrors the violent confrontations between the PKK and Hizbullah in the 1990s, resulting in 46 fatalities, 682 injuries, and 323 arrests (IHD, 2014). Concurrently, over a hundred offices of the HDP in western Turkey were targeted in attacks, and its members faced aggression from nationalist mobs and armed factions like the Ottoman Hearts. Across the country, numerous HDP rallies were struck by bomb blasts, leading to civilian casualties, with ISIS claiming responsibility for these incidents (Gourlay, 2020). As noted by O'Connor and Baser (2018: 55), 'These waves of violence against Kurdish targets have not been sincerely condemned by state authorities or pro-government media organs'. The HDP accused the government of instigating these attacks. Despite their severity and extent, no investigation was conducted into these deadly assaults, and no individuals were brought to trial. These systematic attacks undermined

[16] The state and PKK negotiation actively started in 2013 for a potential peace and settled under the Dolmabahçe Agreement in 2015.

the HDP's legitimacy as a viable alternative, particularly among urbanised metropolitan Kurdish and liberal Turkish voters.

The violence escalated when a two-year-old ceasefire between the government and the PKK broke down in 2015 (Gurses, 2020). An insurgency was initiated by the PKK's youth urban militias, known as the Patriotic Revolutionary Youth Movement (YDG-H), resulting in heightened bloodshed in the Kurdish southeastern cities and towns in 2015. Many of these youths, teenagers among them, adopted a style of urban-based armed resistance similar to that seen in northern Syria, digging ditches and trenches, and erecting barricades in the streets against NATO's second-largest army (Darici, 2016). Their objective was to establish a form of democratic autonomy akin to the canton style governance in Rojava, the Kurdish region in northern Syria. The government responded to this radical rebellion with military force, launching attacks using heavy weaponry such as tanks and warplanes. Martial law and intermittent curfews were imposed in Kurdish cities. Consequently, there were numerous civilian casualties, including children, women, and the elderly, and residents were unable to carry out their daily activities, lacking basic necessities like food, electricity, medicine, and communication. The civil war inflicted extensive damage on cities and led to the internal displacement of over 20,000 residents (Darici, 2016). In early 2016, the Kurdistan Freedom Hawks (TAK), a splinter group of the PKK, carried out deadly attacks on western metropolitan cities in retaliation against the military operations in the Kurdish-dominated areas.

Erdoğan's use of emotions in politics, such as fear, anger, and passion; language of martyrdom, insecurity, national unity, and sovereignty; and advancement of conspiracy theories, such as the involvement of external powers, interest lobbies, and internal security threats, dominated Turkish society. Even opposition parties, other than the HDP, refused to challenge it. This marginalised the HDP's inclusive acceptance in society beyond the Kurds (Koefoed, 2017). The HDP struggled to find a platform in such turbulence, including in the mainstream media, due to a lack of press freedom and the embargo against the HDP on every media platform, including private TV, due to government pressure (O'Connor and Baser, 2018). The violence changed the political mood on both sides, and rising nationalist political passions negatively affected the HDP's radical plural democracy project (Tekdemir, 2019). The party was already an open target for the AKP's far-right Turkish-Islamic ethno-religious populism, and the ruling party accused the HDP of being responsible for the violence in the region. The immunity of 55 HDP MPs was removed, allowing for their imprisonment, and more than 100 elected mayors were suspended or imprisoned on charges of supporting or funding 'terrorism'. They were replaced by *kayyum* [state-appointed officials] through a decree that was not debated in parliament, nor had judicial review, nor was subject to any democratic process. The limits of electoral democracy were made clear to Kurds once again. The situation has worsened since 2016.

Conflict aftermath of the 2016 attempted coup

The AKP started as a conservative democratic, centre-right party by embracing neoliberalism, diversity, and universal human rights with the aim of EU membership. Since the early 2000s, the party has been reshaped and altered into an authoritarian right-wing party. The 15 July 2016 failed coup d'état was a turning point in this shift. In every decade – 1960, 1971, 1980, and 1997 – the Kemalist/secular military, as a self-appointed guardian of the laic regime, intervened in civilian politics on the grounds of protecting the homeland from the existential threats of Islamist, leftist, or Kurdish revivalism. However, Erdoğan alleged that the attempted coup in 2016 was organised by a transnational Islamist network, the Gülenists (Yavuz and Balci, 2018). It was a case of two powerful socio-political Islamist actors clashing, although they had cooperated against the Kemalist militarist regime in the past. For the first time, such an undemocratic attack on the state was effectively rejected and defeated by mobilisation within civil society. The media, including TV and social media platforms such as Facetime and Twitter, became effective tools of resistance in mobilising the masses during and after the abortive coup. The failed coup resulted in the death of 246 civilians and caused over 2,000 injuries (Yavuz and Balci, 2018), and the Gülen movement was categorised as the 'Fethullahist Terrorist Organisation' (FETÖ). Its leader, Fethullah Gülen, who was living in exile in the US, was branded a traitor.

The attempted coup heralded not more democracy but a new oppressive era and period of authoritarian politics by the AKP. The government declared a state of emergency, and decrees were used against Gülen supporters, resulting in almost 200,000 civil servants, as well as soldiers, being made redundant and nearly 50,000 arrested (Houston, 2018). 'The AKP also used the coup as an excuse to oppress progressive opposition groups, such as the Academics for Peace, and to justify the introduction of a set of political, legal, and economic changes that consolidated power in the Presidency' (Hammond, 2020: 540). As Houston (2018: 532) notes, 'its first act in July 2016 was to officially suspend human rights, precluding individuals from seeking redress against arrest and state action'. This new authoritarianism of the AKP meant that its authority now relied on coercion, and without consent, it lost its hegemony, which turned into domination.

The moment of organic crisis occurred after the coup attempt. The subsequent political turmoil caused a decline in the effectiveness of democratic institutions in curtailing the power of the government and the retreat of liberalism, with many journalists imprisoned, the creation of numerous political prisoners, silencing of the opposition, and dismissal of thousands of civil servants (Yavuz and Balci, 2018). The AKP's emotive politics led the party to seek new allies and construct a new discourse of 'us', evoking the idea of martyrs, heroes, veterans, and *milli/yerli* [native Turks] against a newly defined

'them', who were terrorists, traitors, plotters, and Western agents. Moralist politics was shaped based on Turkish-Islamic values under a so-called People's Alliance between the new radical right-wing version of the AKP and the ultranationalist Nationalist Movement Party (MHP). Such a moralistic framing reduced opponents to 'the enemy', who needed to be eliminated rather than be allowed to compete democratically (Tekdemir, 2016). This authoritarian system was strengthened by the establishment of an executive presidency after the 2017 referendum, while the media was monopolised, opposition and collective activity were banned, and social, political, and economic issues were deemed matters of security, by reference to the need for national unity, sovereignty, and safety. An authoritarian system became consolidated as all state apparatus was controlled through the personal masculinist power of Erdoğan (Kaul, 2021).

The autocratic suppression of the HDP began with the lifting of immunity from prosecution of its parliamentarians and the detention, arrest, and charging of mayors for supporting secessionism, which started after the breakdown of reconciliation with the PKK (O'Connor and Baser, 2018). The HDP was forced to become an invisible actor in parliament. For example, after the coup attempt, President Erdoğan 'invited leaders of all the main political parties – excluding anyone from the HDP – to address a 'supra-party' demonstration' (Houston, 2018: 538) to protect national democracy, even though the HDP had condemned the coup. The denial of authentic Kurdishness resumed, and the motto again centred on the idea of unity, of one state, nation, flag, and language, with a rhetoric of homogeneity based on ethnic Turkishness (Burç, 2019). This rhetoric of a Schmidtian friend and enemy blocked alternative ways of political expression or of defining the structure of the state or the nature of citizenship. A moralising Islamist-nationalist politics, similar to earlier Kemalist-secularist ones, appealing to non-negotiable sacred values, had closed down democratic negotiations around possible different political offerings and projects.

In such a toxic political environment, the ruling coalition associated the HDP with the PKK's armed struggle, to delegitimise the HDP's decolonial discourse, including its advocacy for indigenous rights (Unal, 2022), as well as pluralist citizenship among its wider electorate. This repression continued with the decision of the Constitutional Court to accept an indictment to close down the party, while 100 party members went on trial in the 'Kobane case', which linked the defendants to 'terrorist activities' in their support for the Kurds in Syria. Since 2016, over 10,000 HDP members, including the party's former prominent co-chairs, Demirtaş and Figen Yüksekdağ, and many lawmakers, have been imprisoned or are on trial on alleged terrorist charges. Demirtaş remains in prison despite a ruling from the European Court of Human Rights (ECHR) demanding his release. President Erdoğan stated: 'We do not recognise the decision of the ECHR and the Constitutional Court.' Pressure from neither the EU nor the international community has had an effective role in

encouraging Turkey to release him or any other Kurdish elected officials. The EU has little influence on Turkey due to the decline of liberal democracy in Europe, exemplified by Hungary and Poland, the rise of right-wing populism, the economic crisis, and the global pandemic (COVID-19). Moreover, the mass refugee crisis, in which Turkey is seen to stand as a bridge between the EU and the war-torn zones of Iraq, Syria, Afghanistan, and Libya, has been used as a bargaining chip between Turkey and the EU, further weakening the effectiveness of liberal values (Reslow, 2019).

The governing party AKP launched a series of attacks on the HDP rather than tackle the country-wide problems of economic stagnation, social polarisation, and intense violence (Ayan-Musil and Maze, 2021). The criminalising and terrorising of ordinary Kurds, along with the repression of leftist groups within the HDP, went hand in hand with intensified attacks on any calls for peace by scholars and writers. The related Constitutional Court case demanded the dissolution of the HDP and requested a political ban on 687 members, preventing the HDP's diverse leadership from engaging politically. This leadership included members in parliament representing various identities, such as liberals, anti-establishment Muslims, leftists, Christians (i.e. Armenians), feminists, and progressive Kurdish nationalists, among others, including individuals like Hüda Kaya, Sezai Temelli, Garo Paylan, Pero Dündar, and Pervin Buldan. MP Ömer Faruk Gergerlioğlu, a non-Kurd and an Islamist human rights defender, was charged with 'promoting terrorist propaganda' due to his social media activities in April 2021. The attack on the HDP has been an attack on the country's democracy and on the Kurdish national movement's progressive and inclusive project of 'Turkeyness', which aims to create an alliance with progressive and emancipatory sociopolitical actors.

This aggressive nationalist behaviour expanded beyond the Kurdish homeland to target even Kurdish civilians who lived away from the largely Kurdish-populated regions and who had socially and economically integrated into Turkish society. In June 2021, an assailant armed with a shotgun attacked the HDP's Izmir office, resulting in the death of Deniz Poyraz, the daughter of a party employee, in a so-called 'lone wolf' attack. The ultranationalist killer confessed that he had intended to slaughter many more party members. Additionally, seven Kurdish seasonal agricultural workers were injured in a racist attack in the western province of Afyon, and four members of a Kurdish family were injured in Ankara. In July 2021, seven members of another Kurdish family were slaughtered, and their house was set on fire by a nationalist mob in the central Anatolian province of Konya. The attack was motivated by ethnic hatred, with around 60 people attacking the family to force them to leave their homes and land.[17]

[17] See https://hdp.org.tr/en/racist-attacks-on-kurds-in-western-turkey/15637/

The PKK, along with ordinary Kurds, were blamed for starting forest fires along the seacoasts in August 2021 when 137 fires in more than 30 provinces had to be extinguished,[18] even though the cause, as in neighbouring Greece and Italy, was the result of extreme heat and climate change. Despite the PKK's denial of involvement in starting the wildfires, ordinary Kurds on the west coast and in the metropolitan cities became subject to harassment and physical threats. Their IDs were checked for their birthplace and whether they were born in the east or southeast of the country, and they were singled out based on their physical appearance and the way they spoke, due to their distinctive Turkish accent. Yüksel Şahin, the HDP co-chair for Manavgat, a popular tourist district in Antalya province, cautioned that Kurdish residents might be attacked after comments on social media targeted Kurds. More generally, Kurds were demonised in social media. A group of men attempted to lynch two Kurds after setting up a road check to search for Kurds.[19] The HDP claimed that these incidents were the result of the government's criminalisation of the party.[20] Such attitudes towards Kurds alienated them from social, political, and economic life. Societal discrimination and violence against Kurds have been fuelled by the incendiary language of politics used by AKP and MHP, where progressive Kurds are demonised as anti-Turkish and anti-Islam.

HDP's postcolonial project: 'The people' between *Turkification* and *Kurdishness*

In the post-coup era, following the state of emergency, rule by decree, and the establishment of a presidential regime, the HDP's decolonial radical democratic imagination faces challenges from the discourse of sacred values and emotive politics, particularly that of martyrdom adopted by Turkish and Kurdish politics (Koefoed, 2017). The party, with many of its leaders and personnel under trial or in prison, is struggling to maintain and foster its alliances and consolidate its progressive role while advocating for an empowered parliamentary system against one-person rule. This comes at a time when the democratic system has weakened, and the ability to provide oversight and act as a check on the government, for example, by the judiciary, is gradually diminishing (Çiçek,

[18] See https://www.theguardian.com/world/2021/aug/03/anger-in-turkey-grows-over-governments-handling-of-wildfires

[19] See https://medyanews.net/manavgat-kurds-blamed-for-starting-forest-fires-become-targets-for-racists/

[20] See https://hdp.org.tr/en/armed-attack-against-our-Izmir-provincial-building-resulting-in-the-death-of-a-young-woman/15532/

2016). Violence, killings, and polarisation are limiting the HDP's room for manoeuvre among different groups, and issues of legitimacy have arisen within its constituent parts, along with declining electoral support.

In October 2021, the HDP issued a declaration calling for 'Justice, Democracy, and Peace', stating 11 principles[21] and created a new left-wing opposition alliance with six parties in August 2022. The statement advocates for the deconstruction of the colonial order and offers a conflict resolution: 'Turkey for all'. This stands in contrast to the rhetoric of the Kemalist's 'old Turkey' and the AKP's 'new Turkey', both of which are based on ideas of homogeneity and ethnic citizenship, seeking to assimilate each minority into a masculine, colonial identity masquerading as national. The existence of the HDP poses a threat to beneficiaries of the status quo. Unlike mainstream parties and other pro-Kurdish political parties, the HDP's discourse is not fixed on a single identity to represent the party (Grigoriadis, 2016). It also views the Kurdish question differently from the PKK due to the HDP's diverse social base, mobilising left-wing populism at a national level rather than in ethno-regionalism. The HDP's political focus extends beyond Kurdishness, articulating a bottom-up struggle that embraces wider radical democratic principles such as liberty and equality for all. It does not endorse the demand for absolute sovereignty achieved through armed struggle. On many occasions, the party's lawmakers and co-chairpersons, like Demirtaş, have called on the PKK to cease armed struggle (Tekdemir, 2021), declare a ceasefire, and end counter-violence, even inviting the PKK to apologise for civilian casualties caused by their actions.

Despite facing various crises, some of which are compelling the HDP to revert to its regional roots and limiting its political influence, the party remains a bulwark against mainstream power blocs and the forces of authoritarian right-wing populism, illiberalism, ultra-nationalism, political Islam, and Kemalism. The AKP, along with its unofficial coalition partner, the MHP, is experiencing a crisis of legitimacy due to its declining electoral power and popularity. The ferocious attacks on the HDP by the AKP-MHP coalition could be interpreted as a response to their crisis of legitimacy (Çiçek, 2016). The HDP serves as an obstacle to the ruling party's efforts to secure a majority in presidential and local elections, as evidenced by the AKP's loss of the metropolitan municipalities of Istanbul, Ankara, and Izmir to the CHP in 2019, with the latter receiving strategic support from the HDP (Gürbey, 2019).

Due to its anti-colonial identity, the HDP faces difficulties in relation to other political parties, including those currently in power. Within the opposition camp, the CHP has remained silent on the nationalist, statist suppression of

[21] See https://hdp.org.tr/en/let-us-win-together-we-call-for-justice-democracy-and-peace/15763/

the HDP, its authoritarian policies, and the legal attempts by the HDP to halt its marginalisation. The HDP presents a dilemma for the Kemalist secular CHP-led National Alliance opposition bloc, which shares some common characteristics with the governing People's Alliance bloc, including Turkish nationalism, concerns over security, sovereignty, national unity, and foreign policy. These characteristics are also shared by other members of the National Alliance, such as the radical right-wing *İyi* [Good] Party and the Islamist *Saadet* [Felicity] Party. The dilemma for the CHP lies in its reluctance to confront the pressure placed on the HDP and its institutional suppression, as the party leadership does not wish to alienate nationalist voters and party members by explicitly associating with the HDP. Furthermore, the HDP's goal of establishing a democratic republic challenges the colonial underpinnings of the establishment (Gürbey, 2019).

The HDP's promulgation of a civic identity of 'Turkeyness' or 'the People' and the call for peace advocate an integration of the Kurds into the larger democratic society and remove the need for an aggressive Turkish nationalism towards the ethnic conflict. The Good Party, which split from the MHP, promotes an unreconstructed secular Turkish nationalism that has created an impasse in its relation to the HDP. Its deputy chair, Yavuz Ağiralioğlu, states that his party supported the lifting of parliamentary immunity for the nine HDP deputies because: 'we see the HDP as problematic and under the shadow of terror. We see their discourse as problematic and do not see it appropriate for them to do politics under the roof of parliament.' The Felicity Party supports the notion of the Muslim ummah and aligns itself against feminist, LGBTQIA+, and anti-Turkish/Islam movements, and so is in conflict with the HDP's idea of a radical plural democracy that promotes leftist and progressive principles in wishing to act as an agent of change. Both camps, the AKP-led People's Alliance and CHP-led National Alliance, share similar nationalist and statist viewpoints and support military operations and a security-oriented perspective on Kurds. They have an implicit agreement on the hegemonic Turkishness that embraces a colonial, state-centric set of beliefs and shares a logic of unitarianism (one nation, one language, etc.), which excludes the Kurds as 'others' and as a source of insecurity (Anand, 2019; Tekdemir, 2019). The HDP's ambitious radical democracy strategy faltered in the face of entrenched power dynamics and a changing political climate. As a new party establishment emerged, the Kurdish political movement shifted focus from assimilation back to the assertion of Kurdish identity. The failure of this decolonial project marked a turning point, signalling a return to prioritising Kurdish interests within the Turkish political arena. Though the HDP's vision faced setbacks, its legacy persists as a beacon of inspiration in the ongoing struggle for justice and equality. Hence, the Kurdish political actors embedded an alternative hegemonic project in society and their political identity was constructed as a social reality.

Conclusion

This chapter argues that drawing on the concept of hegemony, the Kurdish political movement was able to mobilise diverse social forces, build alliances, and increase its electoral power before 2016. This was particularly evident during the peace negotiations and the period of the AKP's conservative democracy and liberal right-wing populism, characterised by the democratisation of the ethnic conflict. The HDP emerged as a party espousing left-wing populism, advocating Kurdish progressive nationalism and anti-colonialism. The chapter analyses the party's stance in relation to internal colonialism, populism, conflict, identity politics, social movements, and decolonial demands. Furthermore, the HDP's subaltern counter-hegemonic struggle against the colonial religio-nationalist moralisation of politics was also conducted as an electoral strategy.

The AKP faces a legitimacy crisis due to a multitude of crises, including the COVID-19 pandemic, floods, forest fires, drought, unemployment, soaring living costs, poverty, corruption, inadequate university student housing, racism, discrimination, sexism, prohibitions, oppression, and violence.[22] Employing authoritarian neoliberalism and illiberal democracy, the presidential regime exacerbates societal polarisation and militarises ethnic conflicts through Turkification and Islamisation. Post-2016, the regime instilled a politics of fear by conflating Kurdish democratic aspirations with security threats, equating them with support for the PKK. The breakdown of peace efforts and the spillover from the Syrian civil war reignited armed conflicts. Escalating violence, suicide attacks, prolonged curfews, transborder military operations against Kurdish groups, and a failed military coup have prioritised national security over democratisation efforts.

The central committee, provincial and district chairpersons, and numerous executives, including former leaders of the HDP, have been imprisoned. Additionally, over 15,000 HDP affiliates have been detained, with more than 6,000 already arrested. This crackdown signals a troubling trend of political repression and raises concerns about democratic rights. In this hostile environment, the HDP has endeavoured (due to the closure case, the party will enter the local elections under its new party name in 2024) to maintain its synergy with civil society organisations by adhering to its egalitarian and emancipatory democratic principles. However, the party itself is not sufficient to deliver the project of transforming the existing system. It requires renewal or a new form of political organisation that can utilise vertical and horizontal forms of communication and decision-making in a politics of hope rather than fear. Despite colonial nationalism in Turkey, the Kurdish parliamentary political struggle persists as they fight for their democratic demands, even though the future seems grim.

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[22] See https://hdp.org.tr/en/let-us-win-together-we-call-for-justice-democracy-and-peace/15763/

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CHAPTER 4

The Sunnification and Turkification of Alevi Kurds in Turkey: The Use of Education as a Colonising Practice

Umit Cetin and Celia Jenkins

Introduction

We argue that the Alevis in Turkey offer an interesting case study for this book on majoritarian politics post 2016 and how the state colonises and treats groups that are minoritised. Rather than focus only on a 'stateless nation' of Kurds, we study a religious minority, the Alevis. There are approximately fifteen million Alevis living in Turkey, representing the second-largest religious group there. The majority of them are Turkish, but approximately 20% are Kurdish, speaking the Kurdish and Zaza languages. Alevis identify their religion as Alevism, and their difference from Islam has led to a long history of persecution since the Sunni Ottoman Empire, which persists in the modern 'secular' Turkish Republic. This Alevi case study has been chosen because it shows how coloniality is at the very heart of nation-state building and affects groups intersectionally in Turkey. Internal colonialism operates against all kinds of communities who do not fit neatly into a majoritarian identity – some with claims to territorial homeland, some with no clear association with specific territories. It provides an opportunity to explore conflict and resistance through interactions between

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the state, religion, and education to reproduce a colonial mentality based on the *Türk İslam Sentezi* [Turkish Islamic Synthesis] (TIS). We start with the Alevi demands for religious autonomy and fair treatment as citizens, and then trace the development of state strategies that promote national unity by declaring Alevism to be part of Islam, restricting Alevis' religious activities, and actively promoting Sunni Islam through education. The top-down Islamification of Turkish education will be traced through the Republican era's post-1950s TIS and the 1980s military coup, but Erdoğan's ruling party, *Adalet ve Kalkınma Partisi* [Justice and Development Party] (hereafter AKP) (Coşkun and Şentürk, 2012; Eroler, 2021) will be focused on in more detail. The state's recent aim has been to restructure education in order to create a 'Sunni-centred' education (Eroler, 2021) to fulfil Erdoğan's desire to produce *dindar ve kindar nesil* [a pious and vindictive generation] (Dogan, 2016). This is how Erdoğan envisaged his mission to Sunnify the nation through educating the next generation to be religiously pious and vindictive citizens, aggressively defending their Turkish-Islamic nation, through one language and one religion. Acknowledging the very real challenges faced by Alevis, this chapter will also consider the different ways in which the Alevi community has mobilised against the sectarian majoritarian politics of successive governments, especially post 2016, by rallying against Erdoğan's presidential style of nationalist and religious politics. While this chapter prioritises the religious dimension of national identity following the drift of Erdoğan's policies of Sunnification, it also recognises how it has brought Alevis (both Kurds and Turks) together in defence of their ethno-religious identity (Cetin, Jenkins, and Aydin, 2020).

As academics committed to decolonising research and activism, we have an interest in the colonial treatment of Alevis in Turkey and the importance of education as a site for reproducing colonial knowledge and structures, as well as for resisting oppression. The idea for this chapter stems from the religion and identity project we undertook with Alevis in the UK to address the marginalisation and disaffection identified in the second generation. Alevi pupils were assumed to be Turkish and Muslim and felt invisible in school, and to counter this they suggested that religious education should include Alevism. We collaborated with the local community and schools to achieve this with very positive results (see Jenkins and Cetin, 2014, 2018 for more details). This positive achievement in education and the designing of Alevism lessons in which Alevis could define and present their religion contrasted sharply with the situation in Turkey, where education has become a key site of the nation-state's colonial practice to maintain and further Sunnify a Turkish-Islamic national identity.

Turkish and Kurdish Alevis

Turkey's current ethnic and religious characteristics crystallised after the establishment of the modern republic with citizenship based on Turkish as the 'race'

and Sunni Islam as the religion. This state discourse of 'one language, one people, one flag' (Zeydanlioğlu, 2008: 8) allowed the state to intervene in both the ethnic and religious realms of different groups, thereby intensifying the process of assimilation and denying other ethnic groups such as Kurds any official recognition in public life (Erman and Göker, 2000; Göner, 2005). This chapter focuses on the colonising practices of the nation-state against the Kurds and Alevis aided through the religion-education nexus, concentrating on Alevi Kurds because they experience double discrimination in terms of ethnicity and religion. Kurds, the world's largest stateless nation, represent the second largest ethnic group in Turkey comprising approximately 20% of the population. They have been subject to the assimilationist policies and colonising practices of the Turkish state (including banning the use of the Kurdish language), as Turkish official discourses regard any ethnic and cultural diversity as a threat to the unity of the nation (see Tekdemir, this volume, for more detail). However, as the majority of Kurds are Sunnis, there has been some scope for a congruence with Turkish national identity through religion. Similarly, the majority of Alevis, who constitute the second largest ethno-religious community in Turkey with an estimated population of fifteen million, are ethnically Turkish and thus like the Kurds have some congruence with the national identity, this time through their Turkishness. But approximately five million Alevis are Kurds, speaking the Kurdish and Zaza languages, and are consistently identified by the state as the biggest threat to national unity as a 'twice minority' who are neither Turkish nor Sunni Muslims (Bozkurt, 1998; Jenkins and Cetin, 2018; Lord, 2017; Van Bruinessen, 1997).

Alevis were (and are) defined as heretical Muslims who have deviated from the 'true path' (Erman and Göker, 2000; Yegen, 2010, 2006; Zeydanlioğlu, 2008). These descriptions are reflective of a Turkish Sunni colonial mentality based on assumptions of Alevis as primitive and pre-modern, and of Alevism as a heretical form of Islam (although sometimes paradoxically as pre-Islamic) that requires state intervention to modernise and civilise Alevis. Similarly with respect to Kurdish Alevis in particular, Turkishness was considered to be superior, and Kurds, who until recently were described as 'mountain Turks', needed to be civilised to meet the more cultured standards of Turkish citizens (Zeydanlioğlu, 2008). The *Diyanet İşleri Başkanlığı* [The Presidency of Religious Affairs] (henceforth the Diyanet) is a powerful institution of the state. Comprising Sunni Muslim scholars, it was established in 1924 alongside the modern state apparatus of the Republic to assist with forging a new 'accepted' official Sunni Muslim hegemony and to eliminate ethnic and religious diversity (Lord, 2017; Öztürk, 2016). While Republican ideology was geared toward a secular nation-state, at the core of modern Turkish identity was Sunni Islam. As Lord (2017) argues, a key focus of the Diyanet's role has been, and continues to be, finding strategies to support the government to contain, civilise, and assimilate Alevis within Sunni Islam, along with other religious minorities and Kurds, and thus its scope extends beyond a religious function to include

defining nationalism. As such it has been given extensive funding and influence over government strategies and Alevi lives.

Alevi demands for recognition and fair treatment as equal citizens

For much of their history, Alevis have kept their identity and beliefs hidden and practised their religion secretly to avoid being targeted by the state. In the 1990s Alevi associations began to open and agreed on a set of Alevi demands to present to the government in 2006–7. Karakaya-Stump identifies the four most important demands, paraphrased here as:

1. Legal recognition of *cemevis* as Alevi places of worship which would be eligible for government subsidies on the same terms as mosques.
2. An end to the compulsory building of mosques in Alevi villages.
3. The removal from school curricula of compulsory religious education classes based on Sunni Islam.
4. The closure of the Diyanet. Failing this, it should be reformed so that it treats all faith groups the same (Karakaya-Stump, 2018: 58).

These demands remain unchanged today as, despite some advances, there has been very little evidence of the state acceding to them, and in 2022 Alevis continue to mobilise around them.

Fundamental to religious freedom should be the right to define one's religion rather than have a definition imposed by others and to have a place of worship to express that faith collectively, a right recognised by the European Court of Human Rights (ECHR) (Eroler, 2021). However, the Turkish state continues to resist defining Alevism as anything other than a branch of Islam and therefore does not accept that mosques are not their place of worship. Alevis perceive Erdoğan as a fundamentalist radical political Islamist who historically has been hostile towards Alevis. As the mayor of Istanbul in 1994, he attempted to demolish a *cemevi* [Alevi place of worship] which he claimed had been built 'illegally' and was a 'freak' place (Karakaya-Stump, 2018) but was then forced to withdraw the order due to Alevi demonstrations. For Alevis, Erdoğan represents a *mentality* rather than one individual's perspective. This is illustrated in the way that Recai Kutan, Chair of the *Fazilet Partisi* [Virtue Party] of which Erdoğan was a founder member, defined cemevis as cultural centres, thereby denying them the status of places of worship. Even when the European Alevi Confederation were involved in putting pressure on the Turkish government on the grounds that cemevis were recognised as places of worship in Europe, there was no change in the government's stance, with Prime Minister Erdoğan repeating the claim that the 'The Muslims' place of worship is a mosque … a cemevi is a cultural centre, cultural activities

are held there' (Kingsley, 2017). This attitude was supported by the Diyanet, which according to Lord (2017) has played a key role in national decisions about what counts as Islam. In 2014 the previous President of the Diyanet, Professor Mehmet Görmez, claimed that:

> *Bizim daima iki kırmızı çizgimiz olmuştur, bundan hiçbir zaman vazgeçmedik. Bir tanesi; Aleviliğin İslam'ın dışında bir yol olarak tarif edilmesi [...] İkincisi de; cemevlerinin caminin alternatifi, başka bir inancın mabedi gibi gösterilmesi* [We have always had two red lines that we have never renounced. One of them is to define Alevism as a non-Islamic belief, and the other is to define cemevis as an alternative to mosques, as a temple of another belief] (Akdemir 2014; Öztürk 2016: 637).

The most recent Alevi struggle around the right to have cemevis recognised as places of worship concerns the payment of utility bills. In Turkey, places of worship have their utility bills paid for by the state. Despite a ruling by the ECHR in 2014 against the Turkish government's refusal to recognise cemevis as religious sites, the AKP government has refused to relent. Recently, on 31 January 2022 one of the cemevis in Istanbul was issued with an electricity bill for 30,060 Turkish lira (approximately £1,920). Apart from the sum demanded, which was significant, the definition of the cemevi as a *ticarethane* [business/commercial premises] was also significant. Following this, the Alevi Federations in Turkey refused to pay utility bills, and the reaction to the situation accelerated with their campaign gaining support from various democratic organisations and MPs from the opposition parties. However, Erdoğan remained unmoved and, instead of accepting the cemevis as places of worship, he mockingly stated that 'instead of classifying them as *ticarethane* (which means a business or commercial premises) they should be classified as *konut* (meaning residences or dwellings)' (Kendrick, 2022). This rebuttal was no surprise to Alevis and led to calls for a general protest in various cities, including Istanbul.

These interactions between Alevi demands and state responses, and the government's absolute refusal to accede to the most basic right of Alevis to practise their religion, illustrate the way that Alevi demands threaten the process of Sunni assimilation and Turkish colonisation. Indeed in 2021 during one of the weekly AKP talks, Erdoğan asked the audience to repeat after him the classic trope of *Tek millet, tek bayrak, tek vatan, tek devlet* [One nation, one flag, one homeland, one state], a clear reminder to Alevis[23] that there will be no recognition of them as a distinct ethno-religious community (duvaR. english, 2021).

[23] For the Kurds too, this means no recognition of their identity and demands.

The colonisation of Alevis through the *Türk İslam Sentezi* [Turkish Islamic Synthesis]

This section provides a context for the emergence of the TIS and its impact on Alevis, whose initial support for the Turkish Republic and its Kemalist doctrine was based on its supposed secularism. However, as it transpired, secularism in Turkey did not 'mean separation of state and religion but rather state control over religion' as orthodox Sunni Islam was controlled through the Diyanet (Kehl-Bodrogi, 2003; Lord, 2017; Öztürk, 2016). Sunni Islam was redefined by the state and promoted over other religions such as Alevism (Cosan-Eke, 2021; Hanoglu, 2020). Sunni Islam came to be the official religion, and the building of Alevi cemevis was prohibited as they represented a serious challenge to the Republic's secularisation project (Göner, 2005; Kehl-Bodrogi, 2003). This meant that as soon as the Republic was established, Alevi rituals and practices were forbidden, and the Alevi *dedes* [religious/spiritual leaders] were arrested and punished for promoting and teaching 'illegal and superstitious' activities and beliefs (Kehl-Bodrogi, 2003: 64). In other words, the state aimed to assimilate existing ethnic and religious differences into one category consisting of Turkishness and Islam, but in particular to 'Sunnify' the Alevis and to 'Turkify' the Kurds (Yegen, 2010). Our focus here is on the Sunnification process, although the modern nation project was framed in terms of both Turkishness and Sunni Islam with one element sometimes gaining ascendency over the other, but in many ways Sunnification incorporates Turkification within itself. When the state aims to Turkify Alevi Kurds, it automatically Sunnifies them too.

As a result of the Turkish state's politics of denial, assimilation, and oppression in its attempt to 'Turkify' the diverse populations within the borders of the Turkish state (Yegen, 2010), several Alevi and Kurdish revolts took place against the state. These were brutally suppressed and led the state to take tougher security measures against the Alevis and Kurds. These are commonly perceived by the Alevi Kurdish people as *katliamlar* [massacres], one of the most infamous being the massacre that resulted from the Kocgiri Revolt in 1920 in the Sivas province (Gezik, 2012; Massicard, 2009). Alevis feared that their fate would be the same as their Armenian neighbours who had also been defined as heretics. This led to a Kurdish Alevi revolt that was brutally suppressed by the state's armed forces who killed hundreds of people and executed the leaders (Dersimi, 1999). Another significant attempt to annihilate the Alevi Kurdish population was the Dersim Massacre of 1937–38 in an area known as the heartland of Alevi settlement (Dersimi, 1999). Approximately 30,000 Alevis were killed in a bombardment by the Turkish army, though independent sources suggest it was nearer 70,000. After the bombardment, the state intensified its assimilation policies by dispersing the population of these regions to the cities of western Turkey (Bozarslan, 2002). The Kemalist state took upon itself the 'civilising mission' of the Turkification of Alevis, Kurds, Alevi Kurds, and others in the name of modern nation-statehood. These events played a significant role for the state

in redefining the Alevis as people who lacked a sense of the nationalism and patriotism symbolised by the modern secular regime and who therefore had to be prevented from occupying any powerful positions in society. Conversely, according to Gezik (2012), these events were seen by Alevis as premeditated and systematically organised military attacks aimed at destroying them because they resisted assimilation into Sunni Islam and Turkishness.

Post 1950s Turkish politics was characterised by the introduction of a multi-party political system and the TIS. This TIS became the official ideology of the state after the 1980 military coup, but for the Alevis it had been already in place, although informally, since the early years of the Republic. Earlier in 1961 with the new constitution, the government had removed the previously limited restrictions on religion, opening the way for Sunni Islam to become the religion of the state. Once again, the politics of assimilation was prioritised and mosques were built in Alevi villages in order to assimilate Alevis to Islam (Andrews, 1989). According to the doctrine of the TIS, a good citizen was Turkish and a good Turk must be Sunni. As a result of the state's policies of identity and anti-communist commitments since the Cold War period, the tension between Alevis and Sunni Turkish nationalists intensified. During this period, a series of pogroms were organised by Turkish nationalists, the Grey Wolves, against the Alevis. One of these attacks occurred in 1978 in Sivas,[24] a city where Alevis and Sunni Turks had lived together. With the encouragement of state forces, Turkish Sunni mobs attacked Alevi neighbourhoods, resulting in the killing of at least 11 Alevis and looting of their property (Cetin, 2014). This was followed by a massacre in Maras in 1978 which resulted in the killing of over 111 people according to official sources, and double that according to Alevi and other independent sources (McDowall, 2002). Another was organised in Corum in 1980 where 'eighteen Alevis [were] killed and their properties destroyed' (McDowall, 1996: 415).

In 1980 following these violent events, the military staged a coup and implemented the TIS as an official state programme to reinforce the collective national identity by homogenising the diverse ethno-religious and political factions. Once again Alevis, particularly Kurdish Alevis, came to be the main

[24] This city became the home for the brutal Alevi massacre on 2 July 1993 when the civil fascists and Islamic fundamentalists together with state forces marched straight from Friday prayers at the mosque to the Hotel Madımak where participants, mostly intellectuals and artists at the Pir Sultan Abdal Festival, were staying. They burned down the hotel killing 33 people while chanting 'Allah-u Ekber'. This occupies a significant place in the collective memory of Alevis, as the Sivas Massacre initiated the Alevi revival. Three known perpetrators are still living in Germany, but the Turkish state has not sought their extradition to seek justice for the victims, and Alevis believe that Erdoğan and his party sympathise with the perpetrators. One of the demands of Alevis today is to turn the hotel into a Museum of Shame to commemorate the massacre, but this has not been accepted by the state. See Akdemir (2014) for a detailed discussion.

target as a 'suspect community': firstly because of their religion (*Kızılbaş*[25]); secondly due to their association with left-wing (*Komunist*/communist) political organisations; and thirdly because of their ethnic characteristics (Kurdish) (Lord, 2017). As a result, many Alevis were accused of illegal political activities and were imprisoned, tortured, and killed in jail throughout the 1980s (McDowall, 2002).

In summing up the historical treatment of Alevis as a distinct ethno-religious community in Turkey, they have always been located in a marginal position as a result of their linguistic (for Kurdish Alevis), cultural, religious, and ethnic characteristics which have been used to justify their persecution. It is this marginality and history of persecution that recurs in Alevi history, reconstructing and sustaining the social boundaries of their collective identity as an ethno-religious community distinct from surrounding ones such as Sunni Turks and Sunni Kurds. While there are important differences between Alevi Turks and Alevi Kurds, and the Turkish state's treatment of each (Cetin 2014; Gezik and Gültekin, 2019), in the context of the religious dimension of Sunnification, the state treats them both as inferior subjects, and the struggles for religious recognition have brought them together to assert their rights. The literature on the impact of political Islam on Alevis also predominantly refers to them as a religious minority, rather than distinguishing between them on ethnic grounds (Caner and Bayhan, 2020; Eroler, 2021). The next section will look at the ideological strategies deployed by the state to assimilate Alevis through promoting the role of religion in education. Following the literature, Alevis (regardless of their ethnic Kurdish and Turkishness) will be described as a religious minority in relation to their treatment in educational settings, rather than distinguishing between them in terms of ethnicity, although this dimension would bear further examination in future empirical research.

The colonisation and ideological assimilation of Alevis through religious education

Gearon et al. (2021) describe religious education as having been at the epicentre of empires since at least the 15th century and thus requires careful scrutiny as a colonising force. Caner and Bayhan (2020) argue that in Turkey, the role that religion has been given to determine what should be the structure and content of the education system is highly contested, a view shared by most commentators on Turkey's political landscape (Cosan-Eke, 2021; Coşkun and Şentürk, 2012; Eroler, 2021; Karakaya-Stump, 2018; Özkul, 2019). This makes it important to understand how Sunni-centred educational reforms

[25] Kızılbaş is used as a derogatory term to describe Alevis and Alevism as a heretical, immoral group who need civilising by the state into Sunni Islam.

have played a central role in the ideological discrimination against Alevis. This section will briefly review transformations in the national education policy and the role of the Imam-Hatip schools, the status and content of religious education, and national control over the restructuring of education, all influenced by the Diyanet. With the coming to power in 2002 of the AKP, and especially since 2012, national education policy has become the key means of accelerating a 'top-down Sunnification through education' (Karakaya-Stump, 2018: 59). Coşkun and Şentürk (2012) describe the nation-building project of the *Cumhuriyet Halk Partisi* [Republican People's Party] (CHP), which with the establishment of the Turkish Republic aimed to transform Turkey into a modern secular nation using educational reform as the new basis for citizenship, allegedly following the French model of laicity. However, whereas in France laicity meant a complete separation of religion and government so that all state institutions are secular, in the Turkish context secularism entailed placing religion under state control. In 1923 the government passed the Unification of Education Act establishing the education system under a national Ministry of Education and rendering it unconstitutional to teach religious education (RE) lessons (Eroler, 2021). At the same time, Imam-Hatip schools were set up by the government as vocational schools specifically to train future religious leaders to be enlightened and loyal advocates of the modern secular nation-state. However, the level of state control over religion meant that the CHP became increasingly unpopular which led to the introduction of a multi-party system in 1946 where Islam became one of the most important electoral issues between the parties (Coşkun and Şentürk, 2012; Guven, 2005).

During the 1950s under the leadership of the *Demokrat Parti* [Democratic Party], opposition to the CHP's secular, modern nation-state ideology resulted in the growth of political Islam and the emergence of the TIS (Coşkun and Şentürk, 2012). This was expressed through education reforms which were gradually introduced from 1949 to allow schools to teach RE courses, and a Faculty of Divinity was launched at Ankara University in the same year. Also, the budget of the Diyanet was increased significantly (Güven, 2005). Eroler (2021), in an analysis of Turkish RE, traces the reinsertion of Islam into the curriculum where initially these RE courses were framed as optional for primary school fourth and fifth grade students for two hours a week and were taught outside the school's official curriculum. Parental permission was required, and the classes had no influence on the students' grades or ability to pass the year. In 1956 this was extended to a one-hour optional class for the first and second years of secondary and then to high schools and their equivalents in 1957. A compulsory ethics course was introduced in the fourth and fifth grades of primary education and all grades of secondary and high schools in 1974, which although allegedly secular paved the way for the reintroduction of RE classes.

In the years following the military coup in 1980, political Islam developed a stranglehold over education, with the massive expansion of Imam-Hatip schools allowing their students to have access to all university courses so that

they could make inroads into all areas of public life (Güven, 2005). Eroler (2021) claims that the introduction of a compulsory course called *Din Kültürü ve Ahlak Bilgisi* [Religious Culture and Ethics] (RCE) was 'probably the most controversial reform about RE in the history of the Turkish Republic' (Eroler, 2021: 4), and yet it remains compulsory today. Under the terms of Article 24 of the 1982 Constitution, the course is compulsory from the fourth to twelfth grades and is supposedly subject to state control to guarantee religious freedom and impartial teaching about religions. However, the presumed impartiality of such courses was challenged by the granting of exemptions from RE to non-Islamic minorities in 1986, but this applied only to Turkish citizens who were Greek Orthodox, Armenian Christians, or Jews (Eroler, 2021). Significantly, Alevis were not considered eligible for exemption because the state defined them as a Muslim sect and therefore they were not excluded under the RE curriculum.

In evaluating the content of RE courses, an important distinction exists between a confessional approach, teaching how to be a practising adherent of the faith which is typical of faith schools, and a non-confessional approach, where the objective is to learn about different religions. Kaymakcan's (2007) survey of Turkish RE confirmed that despite the state's claims that RE was taught in a non-confessional way, nevertheless with Sunni Islam as the cornerstone of the course and its materials, a confessional approach was explicitly adopted in the Religious Education classes. With increasing disquiet in the 1990s about political Islam undermining the secular and modern dimensions of Turkey, especially with an increasing threat from Islamic fundamentalist groups wanting to reintroduce sharia law, the military government's Security Council met in 1997 and made decisions[26] about the curtailment of political Islam and reversed some of their policies to exert more state control over these movements, focusing especially on education (Coşkun and Şentürk, 2012). Key reforms included: all Quran courses being subject to Ministry of Education control and prohibited for under 12s, the banning of headscarves in class for university students, and restrictions on graduates of Imam-Hatip schools being able to infiltrate public life by only allowing them access to theology departments rather than other university courses. The most significant reform was the restructuring of national education to extend compulsory schooling from five to eight years and thereby closing the junior-high school level of Imam-Hatip schools, which further reduced their numbers and influence. These reforms demonstrate both the influence of the Diyanet and the lengths to which the government was prepared to go to maintain control over religion, while forging a path for the institutionalisation of the TIS.

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[26] Also known as the Postmodern *Darbe* [Postmodern Coup] which resulted in the resignation of Necmettin Erbakan who was the leader of the Islamist party called the *Refah Partisi* [Welfare Party].

The AKP came to power in 2002 on a platform espousing some modern liberal values, of promoting religious freedom by removing the ban on headscarves, distancing themselves from the old-guard Islamic fundamentalists through a modern, rational version of Sunni Islam, proposing membership of the EU, and serving as the engine of democratisation in Turkey (Karakaya-Stump, 2018). With regard to membership of the EU, Eroler (2021) casts doubt on the AKP's commitment to the Europeanisation agenda in relation to realising human rights for minorities, citing the case of the Alevis and RE. When the terms for exemption from compulsory RE were set in the 1980s, Alevis were not entitled to apply for it because they were officially described as a Muslim sect, and only non-Muslim sects could apply. Early AKP policy initiatives to rework the RE curriculum in 2002 and 2004 aimed to be more pluralist and inclusive of non-Muslim sects such as Alevis. The revisions were described by the Ministry of Education as 'revolutionary' and compliant with EU standards of human rights and democracy (Eroler, 2021: 7). Supposedly offensive references to Alevism were removed and more 'positive' information about Alevism began to appear in RE textbooks. But the claims remained mostly inaccurate, offensive, or framed as a deficit model in relation to Sunni Islam. For Alevis this was a tokenistic attempt by the state to define and contain Alevism, and to prescribe how to become an Alevi, but it did not draw on Alevi scholarship, and hence the materials continued to be unacceptable to most Alevi organisations (Eroler, 2021; Karakaya-Stump, 2018).

In the absence of legitimate means to apply for exemption from RE in Turkey, an Alevi parent appealed to the ECHR in 2007 on the grounds that the RE curriculum violated his daughter's religious freedom (See the ECHR decision here https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-2142546-2275681&filename=003-2142546-2275681.pdf). The ECHR judgement ruled that the RE provision did not uphold the rights of parents to have respect for their religious beliefs and required revisions be made to the RE curriculum to include Alevism. However, when the European Commission Progress report was published in 2011, it ruled that insufficient changes had been made to meet European standards of democracy. Eroler (2021) argues that the AKP only made small cosmetic changes to the curriculum, and their later refusal to implement a subsequent ECHR judgement in 2014 in a similar case demonstrated a significant shift towards a more hard-line sectarian Sunni Muslim agenda. Moreover, Eroler points out that in 2015, the Turkish government made it even harder for parents to apply for exemption from RE courses by insisting that parents had to show their religious denomination on their national identity cards in order to apply for exemption, and if it was left blank the child had to take the class. This in itself was a violation of human rights forcing parents to disclose their religion and thereby rendering them more vulnerable to discrimination. Even where children were granted exemption from compulsory RE classes, they were subject to discrimination in school and often there was no alternative class for them to attend. Karakaya-Stump (2018)

concurs that appeals to the ECHR met with limited or no compliance from the AKP concerning other Alevi demands for equal treatment, such as the removal of the requirement to state one's religion on the national identity card and to treat Alevi places of worship in the same way as other places of worship. She suggests that this non-compliance with EU standards of human rights provides compelling evidence that the AKP targets Alevis and has 'ramped up its assimilationist policies in every possible sphere of life' (Karakaya-Stump, 2018: 59).

What Karakaya-Stump (2018) describes as the AKP's 'accelerated top-down Sunnification through education' was heralded in Erdoğan's speech in 2012 when he expressed his aim to raise 'a pious generation' (Karakaya-Stump, 2018: 59). He made it clear that education would be the main means of achieving this goal, and significant reforms were introduced, including a national restructuring of education. This entailed a further expansion of the period of compulsory schooling from 8 to 12 years with the 4 + 4 + 4 system of three stages of primary, secondary, and high school education for four years each. Coşkun and Şentürk's (2012) analysis of the rise of the Imam-Hatip schools explains that once again students could enrol at Imam-Hatip schools at secondary level and that they could function as regular high schools as part of mainstream education, attracting mainly children of conservative religious Sunni Muslim parents rather than just being seen as a training ground for religious leaders. Additionally, access to non-religious university departments and courses was opened up again from Imam-Hatip schools. Indeed, Erdoğan was himself a product of an Imam-Hatip school and has chosen them for his children's education. In this way their students would become the 'organic intellectuals' of the future and future AKP supporters, representatives of this ideal of the devout, conservative, nationalist, Sunni Turkish citizen.

Karakaya-Stump's (2018) analysis of the changes post 2012 reveals that the regular high schools were replaced by Imam-Hatip schools as the only option for pupils who had not passed central exams for more elite schools. This meant that the number of Imam-Hatip schools expanded by 75% from 2012 to 2018, making them 'the centrepiece of the whole education system' (Karakaya-Stump, 2018: 60). Moreover, the content of RE was expanded with the introduction of extra elective courses in Quran Studies, Life of the Prophet, and Basic Religious Knowledge, in addition to the compulsory RCE courses. While these courses were supposedly 'freely chosen', often the absence of alternative options meant that most students experienced extended RE in the precepts of Sunni Islam. Moreover, students had exam questions on RE, including on Sunni Islam, in the entrance exams for high schools and universities, thereby requiring students to take religious instruction seriously and motivating them to 'choose' the electives. In a detailed analysis of how high stakes-examination reforms contributed to the Sunnification of education, Caner and Bayhan (2020) argue that the inclusion of exam questions based on the compulsory RCE course followed from a new system of testing introduced in 2014 which aided the planned expansion of Imam-Hatip schools.

The selection criteria for high school entrance were changed, and discriminated against religious minorities by including compulsory RE questions based on Sunni Islam in national entrance tests. Whereas previously students exempted from RE could answer social studies questions instead, the new tests did not offer an alternative, and four multiple choice questions on religion were increased to twenty, comparable to other core subjects, thereby raising the consequences of getting them wrong. Post 2011, the content of RE crystallised around Sunni Islam in the compulsory RCE course and the new electives, and were key to the Sunnification process.

Further Sunnification measures included a ruling in 2014 that all schools must have a Muslim prayer room and that lifted the ban on girls wearing headscarves in fifth grade. This latter measure exposed Alevi girls, and girls from secular families, as visible targets for discrimination. The AKP also massively increased the power of the Diyanet (Karakaya-Stump, 2018). In 2021 its budget had increased by 13% 'compared to 2020 reaching the very sizeable sum of 13 billion Turkish liras, equal to 1.38 billion Euros' (Buyuk, 2020). This is bigger than the total budget of seven out of seventeen ministries. Far from upholding religious freedoms as promised during initial efforts to join the EU, the AKP has accelerated its Sunnification of education as key to its project to raise a 'pious generation', accompanied by increasingly authoritarian and sectarian discourse and policies, multiplying and intensifying Alevi grievances and compromising their children's rights to a democratic education and ultimately their safety (Karakaya-Stump, 2018).

Post 2016 Sunnification and the Alevi response

The Turk-Islamist cleric Fetullah Gülen had previously been a loyal coalition partner of Erdoğan, and his organisation had been infiltrating state institutions including the military and police. On 15 July 2016 Gülen and his organisation attempted a coup that failed. Erdoğan said this coup was 'a gift from God' because he saw it as an opportunity to reshape the structure of Turkey and to introduce his vision of a 'new Turkey'. While Kurds and Alevis had no role in the coup, they had to bear the brunt of authoritarian measures. For Alevis this meant the intensification of top-down Sunnification. Erdoğan declared a state of emergency which extended his powers substantially, and in 2017 he won a referendum to introduce his Turkish model of the presidency which allowed him to concentrate the whole executive power of government in his own hands. In this new system of governance, the parliament and judiciary were undermined and became dysfunctional as Erdoğan appointed his loyal supporters to key posts. In the previous era, at least in theory, there had been a relative separation of power, but this move returned governance to a single party model under Erdoğan's Turkish model (see Öztürk, 2016; Tekdemir, this volume). So far in this chapter, we have paid attention to how Alevis have reacted to the

most recent tactics of the Turkish state to target them and intensify projects of assimilation to achieve Sunni Islam piety through educational reforms, and to mobilise popular support against the Alevis. Now we focus on how Alevis have directed their campaigns in a renewed set of demands for recognition of their religion and the right to be treated equally as citizens.

As discussed in the previous section, the major restructuring of the education system began in earnest from 2012 with the planned strategy to increase pupils' exposure to Imam-Hatip schools, extend the time spent in school on religious instruction, and raise the status of RE knowledge through compulsory questions in national tests on a par with core subjects (Caner and Bayhan, 2020). However, there have also been some changes post 2016 to consolidate Erdoğan's aim to use education to produce future pious generations steeped in Sunni Islam as the foundation of Turkish citizenship. Eroler (2021) describes the 2017 curriculum reforms as even more 'value-oriented' than before (Eroler, 2021: 9). Although value education was incorporated into the curriculum in 2010 to include Sunni-oriented values throughout all subjects, this was meant to be balanced by a pluralistic, scientific approach to include other religions and value systems. However, Eroler (2021) summarises criticisms of the 2017 curriculum reforms as anti-democratic, unsecular, sexist, racist, and conservative in Sunnifying all subjects. Additionally, the one-hour duration of the compulsory RE lessons was extended to two hours, as well as the additional time being given to RE electives in the curriculum. Caner and Bayhan's (2020) analysis demonstrates how religious minorities, particularly Alevis, continue to be discriminated against by recent policies which signal the further Sunnification of education through the extension of the mandatory RCE course into lower grades. In 2014 the Council of National Education introduced mandatory RCE courses into the first three grades of primary schools (for six- to eight-year-olds), despite the already existing conflict between religious and secular groups. More recently still, in December 2021, the National Education Council recommended extending compulsory RE to pre-school children aged four to six. Given the fact that the current RE model was also a product of the advice and recommendations made by the same council, this recommendation was seen as a further intensification of the Sunnification of society and, most importantly, part of the assimilationist policies towards Alevi children. It is important to note that Alevis and all other secular and democratic institutions and trade unions agree that this particular policy recommendation came from the Diyanet, rather than from National Education Council, which shows how influential the Diyanet is in shaping the curriculum and Turkish society (duvaR.english, 2021).

A new and alarming trend is the extension of Sunni Islamic RE into family life. For example, Caner and Bayhan (2020) describe how the expansion of compulsory questions on RE in the high-stakes national entrance tests has led to the inclusion of questions on what students have learned at home about Islam. Similarly, Karakaya-Stump (2018) commented that the increased Sunnification

of education has increased the academic and psychological pressures on Alevi children and reduced their chances of upward social mobility through education, especially if they cannot afford the protection of a private school education. Caner and Bayhan (2020) conclude that the changes brought about by the high-stakes testing reforms in education have led to the de-secularisation of education and have in particular adversely affected the educational chances of Alevis and other religious minorities.

Given the continued erosion of the rights of religious minorities resulting from the Sunnification of the Turkish education system, Alevi Federations in Turkey and Europe have continued to challenge Erdoğan's policies. Most recently they have launched an online petition entitled *Eşit yurttaşlık temelinde özgür bir toplum için laik ve bilimsel bir eğitim istiyoruz* [For a free society based on equal citizenship, we demand a scientific and secular education system] (Alevi Haber, 2021: 1). This campaign gained much support from academics and from secular, liberal, and other democratic organisations whose main demand was for the government to give up its assimilationist, racist, and religious-based education policies and to reform the education system. As part of the campaign, some Alevi students produced videos to describe how they had been affected by their experience of forced assimilation during their education. Most of them confirmed how traumatic it was to hear the horrific stories told by their teachers about the hellfire awaiting non-Muslims and how they were forced to demonstrate performing *namaz*[27] in the classroom. They describe being subject to constant discrimination and harassment in the way they were treated at school, such as hearing discriminatory and insulting stories told by the RE teachers and peers about Alevis and other non-Muslim groups. Sıla Çal, an 18-year-old *Lise* [high school] graduate female student, said:

> *Hocamız bize din dersinde namaz kılmamızı söylemişti. Biz buna karşı çıktığımız zaman ise bizi sınıfta bırakacağını söyledi. Sınıfta kalmamak için sure ezberlemiştim. Arkadaşlarım ayrımcılıktan kaynaklı olmadı. Kendimi çok yalnız hissettim* [Our teacher told us to start namaz. When we said no, he said he would fail us. We memorised Quranic verses not to fail[28] […] Because of discrimination, I did not have any friends. I felt so lonely while at school]. (Available at https://www.pirha.net/zorunlu-din-dersinde-ayrimciliga-ugradik-sinifta-kalmamak-icin-sure-ezberledik-video-305433.html/11/01/2022/)

Another student complained that the teachers told them to leave the classroom, refusing to take the RE lessons with Alevi children present because they were *Allahsiz* [Godless]. When the parents complained about the situation and the

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[27] Muslim prayers, the performance of which is one of the five pillars of Islam.

[28] To be able to do namaz, one must memorise a number of essential Quranic verses in Arabic.

Aleviphobic behaviour of the teacher, the teacher confidently stood his ground: '*Alevilerle ders işlemek istemiyorum* [I am not teaching lessons to Alevi children]'. The students argued that while they had no desire to be in the class, it was compulsory and they would fail if they did not attend.

Alongside the ideological and discursive strategies deployed by the state through education, it also continues to use its coercive state apparatuses against Alevis without hesitation when necessary. This was evident in the Gezi Park protests of 2013 about turning a green space in Istanbul into a shopping mall. There were massive anti-government protests, and the government attempted to pass them off as Alevi riots, and Alevis were attacked (Karakaya-Stump, 2018). In 2015 a brutal attack was carried out on the Gazi Cemevi in Istanbul when the police ambushed those attending the cemevi during the funeral ceremony of a left-wing activist who had been shot dead by the armed forces two days before (Evrensel, 2015). Most recently, on 12 February 2022, the Düzgün Baba Cemevi in Dersim was ambushed by the governor of the city and a team of armed soldiers. They posed for a photo which was published on their official website and Twitter/X account and sent a threatening message to the chair of the cemevi saying, '*Devletin gücünü göstereceğim* [I will show you the power of the state]' (YOLHABER, 2022).

Alevis see these attacks as examples of how the AKP carries the potential and desire to extinguish Alevis culturally and physically. When it comes to Alevi sacred places, the state still refuses to acknowledge cemevis as places of worship. The Diyanet plays a central role in mobilising devout nationalist Sunni Muslims to attack Alevis, and feeds into Erdoğan's aim to produce a 'pious and vindictive generation', a rallying cry to Sunni Muslim followers not to tolerate Alevis. As a result of the AKP's continuing discrimination and attempts at the assimilation of Alevis along with the threat of violence, Alevis arranged a general protest on 27 February 2022 in Turkey's ten main cities called a *Demokrasi ve Laiklik Mitingi* [Democracy and Secularism Meeting] (Available at https://twitter.com/DemokrasiLaik/header_photo). This was the largest rally in post-pandemic Turkey and was attended by a vast number of Alevis and their allies in Istanbul and other cities. During the protest Alevis repeated their demands which have changed little since those quoted earlier from 2007–8. As the tweet from Democracy and Secularism meeting[29] shows, these include:

> Giving Alevis the right to equal citizenship and abolish the Diyanet.
> Recognising cemevis as our places of worship. We want our dargahs[30] and to abolish obligatory religion lessons.
> Free, scientific education in the mother-tongue.
> Freedom for all people and faiths.

[29] https://twitter.com/DemokrasiLaik/header_photo
[30] Dargahs are Alevi lodges.

On behalf of the organising committee, the Chair of the PSAKD[31] Yenimahalle Branch, Onur Şahin, read out the press statement addressing Erdoğan:

> *Biz bu ülkede vergilerimizi, siz şeriata yatırım yapın ve çocuklarımızın geleceğini çalın diye vermiyoruz. Darbe sonrası kurulan sağ iktidarlar; tekçi, asimilasyoncu, inkarcı, cinsiyetçi eğitim sistemi inşa edip bunun üzerinden yükseldiler*. [We do not pay our taxes in this country so that you can invest in sharia and steal the future of our children. The right-wing governments formed after the coup [1980] have built a monist, assimilation-based, denial-oriented, sexist education system] (Bianet, 2022).

Conclusion

Erdoğan's colonialist and racist attitude suggests that moral superiority is only achievable for pious Sunni Muslim Turks. While Islam is often seen by many scholars as 'anti-colonial', for those seen as 'heretics' by dominant versions of Islam, it can become a tool of colonialism and oppression. For Alevis in general, and Alevi Kurds in particular, Sunni Islam as a force for colonisation plays a similar role to Christianity during the European colonisation of Africa. In Erdoğan's vision of the 'New Turkey', those who do not conform to the ideal of 'pious Sunni Muslim Turks', which obviously includes Alevis, are deemed to be immoral and even unnatural. We argue that denying recognition of Alevism as a distinct religion and cemevis as Alevi places of worship suggests colonialist and racist attitudes because the colonisers impose their definition of Alevism. They refuse to dignify it as a religion because it is seen as 'primitive', practised by Alevis in rural mountain areas who are not capable of surviving in a modern nation like that of Turkey. The elevation of Sunni Islam to the highest moral plane serves as justification for the continued repressive and ideological policies to either assimilate Alevis or persecute them. To achieve this, Erdoğan has pushed the AKP's Sunnification strategies to ever greater lengths so that education has become secondary to RE. The increased powers and funding of the Diyanet and its influence over all government departments has been felt most in education, which has been the main institution and means to produce and reproduce a discourse around the 'ideal' citizen and the 'other' in Turkey.

Erdoğanism stands for a new ideology about the Sunnification of Turkish society, especially through its control of religion and education. He insists on institutionalising his own colonial vision through religion in arguing that humanity cannot exist without Sunni Islam. With this in mind, he has redefined

[31] Pir Sultan Abdal Kültür Dernegi. This is one of the main Alevi associations in Turkey.

Alevism in colonising terms within the Turkish Islamic Synthesis, as for example in the following quotation from a recent speech:

> *Allahsız Alevilik olmaz, Muhammedsiz Alevilik olmaz, Alisiz Alevilik olmaz. Dinsiz, amelsiz sadece sapkınlığın üzerine bina edilmiş Alevilik, Müslümanlık, Türklük, Kürtlük, hatta insanlık da olmaz* [There is no Alevism without God, no Alevism without Muhammad, no Alevism without Ali. There can be no Alevism, Islam, Turkishness, Kurdishness, or even humanity built on perversion without religion or practice] (PİRHA, 2022).

Moreover, Erdoğan's authoritarian turn towards de-Europeanisation and de-secularisation has left all minoritised communities more vulnerable to discrimination and with less recourse to seek help from external authorities.

This chapter argues that the Turkish state has consistently excluded Alevis, and doubly so if they are also Kurds, imposing Sunni Islam as the supposedly civilising, educating, and humanising tool to assimilate them. As a consequence, this forced assimilation comes with an enormous burden of harassment, discrimination, and psychological trauma, leaving the future for Alevis as uncertain as ever. Nevertheless, Alevis continue to engage with and challenge Erdoğan's ongoing policies of repression and discrimination that they face in all spheres of life. Alevis have escalated their campaigns in response to the state's denial of Alevism as a distinct religion and refusal to acknowledge cemevis as places of worship. They have established alliances with other minoritised ethnic, religious, and LGBTQ+ communities in Turkey and transnationally to work for a more socially just world. Alevis continue to demand a secular, democratic state which will accept and respect ethnic and religiously diverse communities, rather than continue to oppress and persecute them. When a stateless nation, religious minorities, those who are both, and those who are progressives all face the paternalism and violence of colonial nationalism imposed by a majoritarian state, it is important for them to work in solidarity with each other to push back against it.

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CHAPTER 5

Selective Efficiency in Bureaucratic Functioning and Corruption as Longing

'Edward Walter'

Introduction

The bureaucracy in Kashmir functions as an extended arm of the deeply unpopular Indian state system, and simultaneously performs developmental activities such as providing electricity and healthcare and building public infrastructure. In this scenario, while local bureaucracy is seen as complicit in the repression brought about by New Delhi, the developmental functioning also has a 'redeeming' effect for these institutions. The local bureaucrats, while facing accusations of 'collaboration', also enjoy a certain elevated position within the social hierarchy of Kashmir by virtue of their power within a powerful, sometimes ruthless, state system.

This chapter was conceived and written while remaining aware of this question of ambivalence vis-à-vis the local bureaucracies and bureaucrats in Indian-Administered Kashmir. What are the ways in which local bureaucracies, in their functioning, soften the impact of repressive policies of the state? What are the complex ways in which the people in Kashmir engage with these bureaucratic structures? This elusive ambivalence of the state bureaucracies in Kashmir reminds me of Timothy Mitchell who, pertinently, writes that 'the state appears to exist simultaneously as material force and as ideological construct'

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(Mitchell, 1999: 76). In the case of Kashmir, the *ideological* and the *material* are in constant exchange, so much so that material assumes the form of the ideological, particularly within the developmental functioning of the bureaucracies. Following Mitchell (ibid, 81), I maintain that the ideological component of state bureaucracies in Kashmir are 'an empirical phenomenon' that manifests in the daily, particularly developmental, functioning, whose dynamics will be discussed in the later parts of this chapter.

This chapter will be composed of multiple sections. First, tracing through British colonial rule in South Asia, I will elaborate on the establishment and evolution of public bureaucracies in Kashmir, while contextualising the nature of Indian rule in the region, especially in the post-2019 period, when India took full control of Kashmir and now rules it as a federal (union) territory. Then I will, through multiple examples, highlight how public bureaucracies aid in realising short- and long-term strategic imperatives of the Indian state, in addition to demonstrating the effect that this exercise of bureaucratic power has had/is expected to have on the Kashmiri lives. Additionally, I will also analyse the complex ways in which people in Kashmir engage with the bureaucracies in Kashmir and how, within this engagement, the category of corruption often assumes a positive connotation. This is not to suggest, however, that chronic corruption within public bureaucracies should be seen as a positive phenomenon; and my concern here is not to attribute normative judgement of this generally undesirable phenomenon. Rather, the aim is to understand and highlight how, in places marked by conflict, coloniality, and military rule such as Kashmir, the prevalence of corruption is hard to simply dismiss as negative, undesirable, and requiring urgent remediation.

Evolution of modern bureaucracies in South Asia/Kashmir

The state bureaucratic systems in the contemporary states of India, Pakistan, and Bangladesh find their roots in the colonial administrative systems that governed the region in the 19th and 20th centuries (Jalal, 1995). The colonial bureaucratic systems were crucial in empire-building and the exercise of imperial power in the colonial dominions. Forging extractive, and repressive, governmentality was one of the primary functions of bureaucratic structures of the colonial rulers in the region, particularly for the British empire. Bureaucratic institutions were central in the constitution and maintainence of British colonial rule through daily, institutionalised violence and coercion. These structures also recruited indigenous people, mostly from the elite classes, to the colonial administration. The primary purpose of these administrative structures was aiding the imperial exploitation of the colony, in addition to operating disciplinary regimes with little accountability. The colonial administration also exploited feudal power-relations within the South Asian societies to advance the empire's economic and political interests. This, in turn, led to occurences

of daily violence against the most marginalised communites within India, such as the people of lower castes and the poor (Heath, 2016: 528). This fusion of feudal values within efficient, modern bureaucratic structures futher enabled, and created, new methods of exploitation that impoverished the masses in the colonies, in addition to denying them human and political rights. While the incorporation of some local/native people into the bureaucracy surely enabled their limited social and economic mobility, the institutions primarily remained tied to the interests and considerations of the British Empire.

The contemporary state systems in South Asia, including expansive public bureaucracies, mimic the colonial governance systems, both in terms of their organisational structure as well as the legal remit of their functioning. As colonial rule wound up, the bureaucratic systems were transferred to the new rulers without major reform in their structural make-up, and as most of the new states within South Asia, broadly, modelled themselves as heavily invested in the economic welfare of the citizens, the bureaucracies assumed an indispensable function within the public sphere. The bureaucracies now became responsible for enabling and expanding state interventions in social welfare, education, healthcare, agricultural production, and infrastructural development, among others. In many ways, public bureaucracies perform an expansively insidious function in the daily lives of residents in South Asia through numerous areas of activity, making these bureaucracies a significant sociopolitical actor. Procuring even basic services such as education, healthcare, electricity, drinking water, and sanitation involves directly engaging with public bureaucracies, and therefore these structures aid in positive material transformation for people. Conversely, public bureaucracies control and coerce, and they meticulously record data through identification markers, biometric databases of people, and private infrastructure, which makes them central to the construction of Foucauldian governmentality, and repositories of a trove of intimate data about peoples lives, livelihoods, bodies, and, often, dreams and aspirations. In the present times, we rightfully invoke the sweeping, Orwellian nature of the digital technologies and 'big tech' corporations, while holding their know-all nature in awe. But before these digital leviathans descended upon the social sphere, it was public bureaucracies that held, and continue to hold, comparable amounts of data about people's lives, and bureaucracies in South Asia are no exception. This data may include details of people's lineage, property, health, physical features, economic condition, political preferences, skills, education, careers, intimate relationships, location, and numerous other markers. Focusing on Indian bureaucracy, Nayanika Mathur describes this meticulous record-keeping of the institutions as the 'paper tiger' nature of the state (Mathur, 2016). She writes,

> In writing an ethnography of Indian state bureaucracy I cannot but describe its domination by the documentary: the overwhelming desire to have everything in writing (*likhit mein*), a tendency and capacity to paper over things, the employment of an 'on paper' doublethink under

> which officials thunder at their juniors for working only with paper (as opposed to with some form of the real, the *asli*) even as they state that the only thing that matters is that the papers be in order (2016: 4).

In the Indian-administered Kashmir region, while performing similar functions of public welfare and the collection of public data, the state bureaucracies also engage in the repressive, extractive, military, and ideological projects of the Indian state, that sees the region as a territory to be controlled in totality. As the state bureaucracies in Kashmir engage in welfare projects, the strategic preferences of the Indian state almost always assume the upper hand, and the bureaucracies play a central role in the realisation of these preferences under the benign garb of development, security, and progress. In contrast to the averse, popular notoriety of military structures that India has expansively built across the region (Duschinski et al., 2018; Kak, 2011), public bureaucracies, by virtue of their developmental functioning, are able to successfully project the strategic imperatives of the Indian state as positive and indispensable preferences of the Kashmiri population. In this chapter, I aim to demonstrate how the policies and tasks that complement these strategic imperatives are implemented by public bureaucracies with the utmost urgency, while other functions that do not align with these imperatives are sidelined, a phenomenon that I term *selective efficiency*. The selection, I maintain, of which functions to perform urgently, while others are conferred less attention, is guided by how a particular function aids the assimilationist tendency of the Indian state vis-à-vis Kashmir. Also, in this situation, wherein a repressive state system fulfils its aims through civilian public bureaucracies, do the structural constraints in these organisations enable at least momentary positive ends? Does the infamously corrupt nature of public bureaucracies in South Asia, including Kashmir, aid in undercutting or halting the exercise of repressive power and non-consensual extraction of resources from indigenous habitats? In simpler terms, does the nature of corruption assume positive dimensions in a situation of repressive military rule?

State bureaucracy in Kashmir: Feudalism, developmentalism, and counterinsurgency

The contemporary state structures in Kashmir find their origins in erstwhile systems of feudal extraction. From 1846 to 1947, the region was ruled by feudal monarchs, the Dogras, who repressively extracted revenue from the overwhelmingly peasant population (Rai, 2004). The bureaucratic structures that operated during this time remained singularly focused on extracting land revenue and running a brutal, disciplinary regime. Dogra monarchs inherited and also created new positions within the administrative hierarchy of Kashmir, and the primary purpose always remained the extraction of revenue and resources from the impoverished population. The population, overwhelmingly

Muslim, was almost entirely excluded from state employment, and Dogras strategically recruited literate minorities within the bureaucratic system. The feudal revenue system within the Dogra regime proved to be extremely draconian for the Kashmiri peasantry as well as the artisanal working class. Land ownership remained feudal in nature, as most of the peasants were designated as temporary cultivators, who, at most, were granted occupancy rather than proprietary rights over the land that they cultivated. Robert Thorp, a British military officer who visited Kashmir in the mid-1860s, writes that out of every 192 seers (1 seer equals 1.25 kilograms) of the kharif crop (harvested in the autumn), around 126 seers were taken away by the state in the form of taxation revenue (Thorp, 1996: 70). The same was the case with rabi (spring) crops. Additionally, a tax had to be paid on fruits, livestock, honey, and other commodities. Heavy tax was also levied on 'marriage licences' that legalised marriages. Thorp also argues that the Dogra authorities encouraged prostitution through the 'sale of young girls', to benefit from the tax procured on it (ibid, 106). The small-scale shawl manufacturing industry was also heavily taxed, reducing the workers who produced the shawls to virtual penury. By Thorp's account, the office of Dagh Shali, the state institution that taxed shawl manufacturing, remained heavily militarised. Without prior Dagh Shali permissions or stamps, selling loom-made shawls remained impossible. The weavers were not permitted to abandon their work unless they found substitute employment, and were prone to 'half blindness' and other diseases due to the sedentary work-setting (ibid.: 89).

Through a century of Dogra rule, this feudatory extraction continued, and state bureaucratic systems remained essential to it. In 1947, as the monarchical regime unravelled under sustained resistance from the local population as well as external pressures of decolonisation in South Asia, the bureaucratic structures were passed on to the new government in Kashmir, which – for ideological and political reasons – aligned itself with the influence of the new Indian political establishment. Headed by the popular, self-confessedly progressive National Conference party, the new government immediately began deploying the same governmental structures but now towards the socialist aims of radical land redistribution and socio-economic welfare of the impoverished masses in Kashmir. The new government started by enacting a widespread redistribution of land across the region, a move regarded as one of the most radical in South Asia, particularly because landlords were not granted compensation – either from the state or the tenants – for the appropriated land. These reforms broke up massive feudal estates and redistributed them amongst the peasantry that had been impoverished by feudal tenancy arrangements. By the late 1950s, according to government figures, around half-a-million acres of land were expropriated, half of which had already been transferred to the tillers (Government of J&K, in Wani, 2019: 78). Besides vast land reforms, the state introduced various forms of affirmative action vis-à-vis the Kashmiri Muslim population, such as providing education, state employment, and business opportunities. The state systems during this period were heavily geared towards developmental

aims and, confessedly, wanted to transform Kashmiri subjectivity through enacting popular socialist and welfare reforms. This is evidenced in a policy document, called the Naya Kashmir Manifesto, that detailed the guiding philosophy of the new governments and was treated as a de facto constitution until the implementation of the actual constitution in 1956. In the Manifesto, a declaration was made to 'build again the men and women of (the) state who have been dwarfed by centuries of servitude and create a people worthy of our glorious motherland' (New Kashmir Manifesto, 1944: 8; Para, 2019).

With support from the Indian state, while the people's political demands for self-determination were severely undercut through regular repression, the state bureaucracies enacted a developmental agenda aimed at securing legitimacy for Indian rule and deployed it as a hegemonic counterweight to the demands for greater political rights. Development was presented, both by Indian as well as regional leaders, as a silver bullet that could mitigate the political conflict in the region, as well as offset all demands for self-determination. In a note, written on 25 August 1952 by Indian Prime Minister Jawaharlal Nehru to Sheikh Abdullah, Kashmir's then Prime Minister, he writes, 'It must be remembered that the people of the Kashmir Valley and roundabout, though highly gifted in many ways … are not what are called a virile people. They are soft and addicted to easy living' (Jawaharlal Nehru Memorial Fund, 1999: 329). In the same note, Nehru adds, 'We have to consolidate the (Indian) position in Kashmir … by improving the lot of the people, i.e., economic and other issues … The common people are primarily interested in a few things – an honest administration and cheap and adequate food.' In the meeting with Pakistani Prime Minister Mohammad Ali Bogra on 17 August 1953, while talking about Kashmir, Nehru asserted, 'Most people, of course, were hardly political and only cared for their economic betterment.' (1999: 332). The state's developmentalist focus continued for the next four decades, even after the first government, headed by Sheikh Abdullah, was forced to abdicate power by New Delhi. One of the key figures within this developmentalist assimilation was Bakshi Ghulam Mohammad, who assumed charge of the government immediately after Sheikh Abdullah was deposed in a boardroom coup. Bakshi's developmentalist spectacle, as Hafsa Kanjwal (2017) terms it, consisted of procuring maximum economic incentives from New Delhi and initiating large-scale infrastructural development. This came along with accelerated legal and political integration of Kashmir with India, and a substantial amount of the region's political and legal autonomy was ceded to New Delhi. Soon after assuming power, Bakshi enabled the ratification of Kashmir's legal accession with India in the region's constituent assembly, in addition to abolishing a customs barrier that regulated the flow of goods between Kashmir and India. In 1954, during Bakshi's reign, most of the provisions of Indian constitution were implemented in Kashmir through a presidential order. India's central government institutions such as customs, excise, posts, and civil aviation, as well the Supreme Court, also extended their jurisdiction over Kashmir. Development, and benevolent developmentalism,

was at the core of the functioning of bureaucracies during this period, and this continued at least until the end of 1980s when the armed insurgency against Indian rule took shape. As other contributors in this book have pointed out, development is often used by nation-states to justify their denial of political rights to distinct ethnonational people. Whether it is Turkey's top-down development of Kurdish regions or India's state-dictated development in Kashmir, disempowering development is promoted in lieu of political rights.

The struggle for self-determination in Kashmir took a violent shape after consistent denial by the Indian state to acknowledge the political nature of Kashmiri demands and suppress dissenting voices (Duschinski, et al., 2018). In 1989, after a rigged regional election and large-scale suppression of oppositional political leaders and activists, the armed militancy in Kashmir began. Supported and trained by Pakistan, Kashmiri and Pakistani guerrillas mounted increased attacks against state functionaries as well as infrastructure, while New Delhi heavily expanded its violent counterinsurgency campaign, which included sending in more military/paramilitary forces, sponsoring informal paramilitary groups and occupying public spaces/infrastructure. India's counterinsurgency campaign in Kashmir led to an extensive abuse of human rights. The Indian military, police, and paramilitary forces perpetrated abuses such as enforced disappearance, torture, extrajudicial executions, and rape against the local population (Amnesty International, 1993; Association of Parents of Disappeared Persons, 2016; Human Rights Watch, 1993; Jammu Kashmir Coalition of Civil Society, 2019). While the military apparatus of the state was engaged in kinetic counterinsurgency, the civil bureaucracies made counterinsurgency an acute concern, even as they continued to be functional within a developmentalist agenda. State schemes such as the Sadbhavna project (Anant, 2011), in which the Indian military focused on 'changing hearts and minds' style, relied heavily on the civil bureaucracies. Developmental works related to education, healthcare, and infrastructure remained periodically wedded to the counterinsurgency concerns and were presented as a benign facet of the kinetic counterinsurgency mechanisms (Bhan, 2014: 121). Development was presented as a strategy to reduce 'alienation of Kashmiris' and 'foster state legitimacy' through the introduction of 'reservation in educational institutions, initiate skill enhancement and employment schemes, provide education scholarships, and introduce education and livelihood schemes' (Shivamurthy, 2021). This counterinsurgency-developmentalist nature of state structures continues to the present day in Kashmir and informs their functioning, including that of the bureaucracies. This, however, does not mean that the bureaucratic state structures solely function within the developmental paradigm. One of the primary functions of the District Development Commissioner, the topmost official for overseeing state-led development within an administrative district, is the signing and implementation of the Public Safety Act, used mainly against political dissidents. This law allows for prolonged administrative detention of dissidents and has been deemed by human rights organisations such as the

Amnesty International as a 'lawless law' that enables an endless, revolving-door detention. In a meticulous, ethnographic account of how the District Development Commissioner plays a central role in administrative detention process, Shrimoyee Nandini Ghosh and Haley Duschinski write that this office 'prepares the grounds of detention (under Public Safety Act) – the key document providing legal justification for the preventive detention order and warrant for arrest – on the basis of the police dossier, using frames of national security and public order' (2020: 372).

Settler-colonial functioning

The state bureaucracies in Kashmir assumed an additional role in the aftermath of the abrogation of region's nominal legal and political autonomy, and the initiation or expansion of what scholars have called India's settler-colonial project in Kashmir. In August 2019, the Indian parliament effectively revoked articles 370 and 35-A of the Indian constitution that conferred autonomy and land rights upon Kashmiri citizens/residents. While some scholarship maintains that this revocation initiated the process of settler-colonialism in Kashmir (Harvard Law Review, 2021), others argue that settler-colonial framework for ascertaining Indian rule in Kashmir should be seen as a continuum rather than a nascent initiation (Mushtaq and Amin, 2021). The justification provided by the Indian state for its move to end autonomy and statehood for Jammu and Kashmir included development, economic growth, greater rights for women and minorities, and rescuing Kashmiris from corruption: saving ordinary Kashmiris from the corrupt elite Kashmiris. As Kaul (2021) argues,

> While claiming to bring liberatory and multidimensional development to Kashmir, the post-August 2019 period has witnessed the wilful imposition of destitution upon Kashmiris by a conscious crippling of the economy of Kashmir, economic violence, genocidal fears and the creation of continued debility, while deploying the rhetoric of liberation and development for all, but specifically for women, LGBTQ+ people and minorities….let us call econonationalism and other discourses serving an occupation by their true name: coloniality' (126).

The public bureaucracies in Kashmir have a central role in implementing the new executive orders and legislations for implementation of this settler colonial project in Kashmir (Jan, 2021; Mushtaq and Amin, 2021). This includes, for instance, bureaucracies pertaining to land revenue and forest preservation. During the past three years, Jammu and Kashmir Forest Department has been instrumental in the eviction of indigenous communities – such as Gujjars and Bakerwals – from their traditional homes (Khan and Mir, 2021). To take another example, the Land Revenue Department can also much more easily

authorise the conversion of exclusively agricultural land for non-agricultural purposes. This latest phase of converting civil bureaucracies into instruments for advancing settler colonial goals continues alongside at least two other aims that have already been essential for the promulgation of state power in Kashmir: development and counterinsurgency. The feudatory extraction of revenue or material from a Kashmiri body – that leads to the body's total annihilation or, at the very least, debilitation – also continues within the more militarised sphere of state structures, particularly in the military and police forces. In pursuit of official bounty compensation or felicitation, military personnel often kill Kashmiri civilians or armed rebels in what are known, respectively, as false, or real, gunfights. After subjecting them to death – or physical and symbolic annihilation – the military personnel collect a fixed bounty from the state, or receive medals and other forms of official commendation.

Inefficiency and selective efficiency

Under these three broad, functional spheres of development, counterinsurgency, and settler colonialism, I argue, the bureaucratic structures function with a selective efficiency that bolsters the strategic imperatives of the Indian state in Kashmir. This is demonstrated in the increased transfer of land to enable unabated construction. In the past three years, since the revocation of autonomy, the ownership of vast tracts of land has been transferred for either corporate takeover or military use by the regional government's revenue bureaucracy. Land ownership has been transferred in almost all the administrative districts of Kashmir (Ashiq, 2022; Ganai, 2021; Zargar, 2021). Contrast this urgency for land transfers to a process of job recruitment within one of the government departments in Kashmir, where the state has, by far, been placed as the top provider of employment to the locals.[32] A news report published in 2020 reveals that the process of recruiting a mid-level assistant information officer in the regional government's information department had already taken 14 years, without any recruitment being made for the post (Mohammad, 2020). This demonstrates that while bureaucracy is made to function efficiently in the case of land transfers, it assumes a structural lethargy when it comes to other functions of less or no strategic value to the Indian state. Another example of this is the consistent drives by municipal authorities in Kashmiri

[32] In 2016, the number of employees in the regional government in Kashmir remained at 0.48 million (Ali, 2016). Considering that the total population within the official employable age, according to a 2011 census report (Statistics Times), of 24–60 years remains at around 900,000, this brings the number of 'employable' people dependent on the regional government for their livelihoods to more than half. This is in addition to the people who are employed by the central (Indian) government institutions based in Kashmir.

towns against what they term encroachment of public spaces by the people. The anti-encroachment drives against shopkeepers, hawkers, street vendors, and other residents are efficiently and violently enacted. Take the example of some anti-encroachment drives in Srinagar and Pahalgam areas of Kashmir. In November 2020, anti-encroachment drives were organised by the region's Forest Department in southern Kashmir's Pahalgam area (Rehbar, 2020). In January 2022 in Srinagar city, according to a local news website, 'several videos … went viral on social networking sites, (in which) street vendors were seen screaming for help after their goods were vandalised and carts were bundled away by the officials of (an) anti-encroachment squad in Jahangeer Chowk and LD (hospital) areas of Srinagar city' (The Kashmir Walla, 2022). Both these purported anti-encroachment drives targeted local populations for eviction from the land.

Contrast these evictions with the installation of military infrastructure in the same areas of Srinagar city, where the previously mentioned anti-encroachment drives were held against the locals. Military and paramilitary bunkers, made of either permanent construction material or sandbags, widely encroach public spaces and roadways in Srinagar, which has been described as Kashmir's 'bunker capital' (Bashir, 2020). The municipal authorities, however, never hold anti-encroachment drives against these structures and display a deliberate inefficiency for doing so. Taking another example of military installation, an army encampment, in southern Kashmir's Islamabad (Anantnag) district, where Pahalgam is also located. In 2015, the regional government announced that the Indian army would transfer around 50 acres of land for expansion of an adjacent university campus in the Fatehgarh area of Islamabad (Greater Kashmir, 2015). However, after seven years, the land remains under the army's control, and no anti-encroachment drives can be held by the regional bureaucratic authorities against the army.

This selective efficiency is not, however, an inadvertent feature of state functioning in Kashmir. In the region, where state sovereignty remains contested and deeply unpopular, selective efficiency appears to be an indispensable part of the exercise of state power. This can be observed in other contexts of colonial occupation such as Palestine where, to give one example, the Israeli state efficiently regulates Palestinian access to public spaces or travel to outside countries (B'Tselem, 2017; Shezaf, 2022). At the same time, the unemployment rate in the West Bank and Gaza has reached a staggering 24.9% overall[33] (International Labour Organization, ILOSTAT Database, 2021). While Israel's unemployment rate, since 2009, has seen a steady decline of around 4.5 percentage points, Palestinian unemployment rate has only increased within this timeframe (around 5 percentage points). This demonstrates two levels of selective efficiency: Within the space of Palestinian life itself, while some tasks such as travel or access to public spaces are regulated efficiently by

[33] Comparatively, according to the estimates, Israel has an employment rate of 5% (International Labour Organization, ILOSTAT database, 2021).

the Israeli occupation state, nothing substantial has been done to curb the massive unemployment rate. At the same time, in the sphere of unemployment in Israel itself, the state has been able to efficiently curb the unemployment rate.

Repression, positive corruption, and longing

The category of corruption, whose prevalence in in the region in pervasive (Singh, 1987; Staniland, 2013), also interferes with the selectively efficient state bureaucratic systems in multiple ways. In the case of Kashmir's administrative detentions that condemn a political dissident to a revolving-door system of incarceration, it is widely believed that paying a certain amount of money can prevent a person from being detained under the Public Safety Act (PSA). In Kashmir, it is widely understood that paying the state officials a bribe of around one lakh Indian rupees (£980) could prevent a Kashmiri political dissident from being subject to a lifetime of penal repression. The same is the case with, for example, the labyrinthine system of granting passports to Kashmiri people. One of the steps within the process of granting passports is obtaining clearance, or what is colloquially known as 'verification', from the local police or intelligence agencies. The verification is carried out by a state official, who visits the home of a passport applicant and gathers multiple, often intimate, details such as the family relationships and financial background. The main aim is to determine whether the applicant, or their family, are/have been a part of any dissident activity. In this verification exercise, it is a generally accepted norm that a fixed amount of money, a bribe, can render the process trouble-free or can even expedite the delivery of a passport. Therefore, in the cases of the PSA and passport verification, 'corruption' results in a positive effect for a population that faces militarised repression by the Indian state.

However, since the abrogation of Kashmir's regional autonomy in 2019, this effect seems to have shifted considerably. During a recent conversation with a Kashmiri civil bureaucrat, who I am choosing to not name for safety reasons, he expressed a sense of pervasive fear in local bureaucrats who can no longer intervene in the cases of the PSA or passport verification. Out of fear of dismissal/termination, he explained, state officials no longer accept bribes that used to mitigate the implementation of the PSA or speed up the process of passport verification. In recent conversations with Kashmiris, they often lament that the 'times when you used to bribe the officials has passed'.[34] Again, the phrase almost signifies a longing for the time when bribes used to attenuate the effects of the worst forms of Indian state's repression in Kashmir. This also

[34] This, however, is not to say that the intense, structural corruption within state bureaucracies has entirely disappeared in Kashmir. In fact, most of it remains intact. But some forms of corruption that used to offset the worst excesses of political repression in Kashmir seem to have receded.

demonstrates how social meanings of straightforwardly negative categories such as corruption change and acquire new meanings in situations of conflict and intense political repression. In the case of Kashmir, therefore, always pinning down structural corruption as a negative category does not reveal the full picture of how the state and the social interact in the region.

The nature of this longing for corruption, however, requires more attention. This longing not only reveals the general desperation of the populace living under repressive rule, but the corruption overall can also be seen as a strategic manoeuvre by the bureaucrats, who are mostly local Kashmiris, to mitigate the worst tendencies of the repressive state. Viewed in terms of James Scott's idea of 'foot-dragging' (1985: xvi), can this corruption be viewed in terms of resistance by the local bureaucrats vis-à-vis the Indian state? While it is compelling to see this corruption as resistance, I do not find a substantial merit in the argument, particularly because the bureaucrats in Kashmir are socially and politically powerful figures, who could engage in 'foot-dragging' without extracting monetary value from the victims of state repression. Foot-dragging is not for resistance but mostly for venal reasons. This corruption does nothing to challenge the economic/military-industrial logic of counterinsurgency in Kashmir, thereby exacerbating the abuse of human rights in the region, as well as prolonging the repressive nature of the state.

Conclusions

From the various examples described above, it can be concluded that while the state bureaucratic structures in South Asia, including the ones in Indian-administered Kashmir, are seen as glacial and slow in their functioning, the same structures assume a selective efficiency in fulfilling the strategic imperatives of the government. In the case of Indian-administered Kashmir, these include the imperatives that enable and further perpetuate three interrelated aims: counterinsurgency, development and, increasingly, settler-colonialism. Also, from the experiences of preventive detention and other forms of persecution in Kashmir, such as depriving political dissidents of their passports, it can be clearly seen that corruption has acquired radically different social meanings and is sometimes seen as a positive phenomenon for which people express a certain longing. The authoritarian state uses corruption as an excuse to take away local agency even though it had created the system which patronised corrupt local elite as collaborators in the first place, as argued by Nitasha Kaul (2010), through her idea of Mandarin-Machiavelli interaction.

The selective efficiency in Kashmir reveals an entrenched coloniality of state institutions, wherein the strategic imperatives of the metropole will always enjoy preference over the needs and aspirations of a certain population subject to unpopular rule (Kaul, 2010). Bureaucracy, even when development has been touted as its main responsibility, has remained an integral part of

India's coloniality in Kashmir. Bureaucracy, even when it has become more representative of the local population in the last few decades, at least at the middle and lower levels, served the nation-state's agenda of integrating and assimilating Kashmiris into India. Limited agency exercised by individual local bureaucrats can at best be read as foot-dragging, but in most cases it was subordinated to the colonising state.

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CHAPTER 6

Right to Self Determination and Regional Complications: An Account of the Kashmir Conflict Post 2019

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The conflict in Kashmir has significantly impacted numerous lives in ways that are complex and multifaceted, necessitating an analytical approach that is both inclusive and comprehensive. While there exists a substantial amount of scholarly work focused on the political dynamics of this conflict, it is noteworthy that a substantial portion of these discussions often lack inclusivity, particularly concerning representation of voices from the various regions inhabiting the former state of Jammu and Kashmir (often referred to as J&K). This oversight underscores a critical gap in the academic exploration of the conflict, highlighting the need for a more inclusive approach to understanding the complexities of the conflict.

The role of the United Nations (UN), India and Pakistan's competing claims over the territorial rights, and later the unilateral accession of the Indian-Administered Jammu and Kashmir to India have been extensively debated by several notable scholars (Lamb, 1991; Rai, 2004; Saraf, 1977; Schofield, 2003; Snedden, 2015; Zutshi, 2018). However, there is limited space available for the people who since 1947 have suffered because of this conflict. The recent critical scholarship on Kashmir tends to subsume the entire Jammu and Kashmir

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under a singular 'Kashmiri' category. Therefore, it is critical to cultivate a body of literature that recognises and respects the political, cultural, religious, and ethnic distinctions and challenges faced by the communities within the Kashmir conflict, instead of diminishing their experiences or amalgamating them into a singular 'Kashmiri' identity. Acknowledging the plurality of identities subsumed under the label 'Kashmiri' is essential for understanding the varied ways in which individuals and communities navigate the coloniality of power.

Recent scholarly efforts by some academics have aimed to bridge the existing gap in Kashmiri literature concerning the political and ethnic diversities of these regions (Ali, 2021; Holden, 2019; Hussain, 2021; Tremblay and Bhatia, 2020). This chapter contributes to these efforts by asserting that the real stakeholders in any resolution process are the diverse populations of the erstwhile state of Jammu and Kashmir, whose varied ideologies and desires for self-determination have often been ignored, leading to a lack of proper political representation. It specifically focuses on the experiences of three regions – Kashmir, Ladakh, and Jammu within Indian-administered Kashmir.

The partition of India and Pakistan in 1947 resulted in the permanent political instability of the former state of Jammu and Kashmir. Before partition, the princely state of Jammu and Kashmir consisted of the following regions: Kashmir Valley, Ladakh, Gilgit agency, Baltistan, Jammu, and several independent or separately managed Jagirs. The bifurcation of the state took place as both India and Pakistan laid claim over the entire Jammu &Kashmir and fought a war over it. The UN advised India and Pakistan to provisionally administer the regions under their dominion pending the conflict's resolution through a plebiscite (Luard, 1988).

In line with this, the UN adopted Resolutions 39 and 47, which extended an offer of assistance in settling the conflict and called upon both nations to continue administering the respective areas of the state under their control until a definitive settlement could be achieved (Security Council Report, 2022). However, the UN's efforts to foster a consensus between India and Pakistan did not culminate in success, despite the appointment of three special representatives and the passage of these resolutions. Following these early developments, India has since administered half of Jammu, the entire Kashmir Valley, and Ladakh, whereas Pakistan has managed the other half of Jammu, Gilgit, Baltistan, and several autonomous territories /Jagirs (Hussain, 2021: 1–27).

Each region is characterised by its own unique political legacy and is home to a multitude of ethnic groups. This diversity contests the often-applied simplistic and unified identity labels. The inhabitants of these areas possess a rich tapestry of narratives that encompass regional, cultural, and ethnic identities (Brecher, 1953). Owen Dixon succinctly captured the complexity of these territories, stating, 'The state of Jammu and Kashmir is not a unit geographically, demographically, and economically. It is an agglomeration of territories bought under the political power of one Maharaja. That is the unity it possesses' (Dixon, 1950: 28). Thus, one could argue that an acknowledgement of the ethnic and political

heterogeneity of these regions is imperative for an in-depth understanding of the different responses among the populations of former state of Jammu and Kashmir to the legislative and political initiatives pursued by the governments of Pakistan and India in relation to the ongoing conflict.

Over time, the strategies employed by India and Pakistan to address the Kashmir dispute have evolved significantly. Initially, both countries favoured engaging through multilateral platforms, but this approach gradually shifted towards bilateral negotiations. According to the UN's resolution pertaining to the Kashmir conflict, both nations were designated to merely govern their respective territories (Wirsing, 1994: 10–83). Nonetheless, historical actions reveal that both countries have undertaken significant and controversial changes within their controlled regions without seeking public approval or engaging in any form of multilateral or bilateral dialogue (Holden, 2019: 1–13). More recently, India altered its approach from bilateralism to unilateralism, enacting measures that removed the region's autonomous status and divided the territory under its jurisdiction into two separate entities: Jammu and Kashmir as one, and Ladakh as another, both reclassified as 'Union Territories' within the Indian federal system, endowed with significantly diminished powers. These changes were implemented amid stringent restrictions on the local populace (Kaul, 2019).

The multifarious experience of the conflict has resulted in varying political aspirations in Jammu, Kashmir, and Ladakh. They have varied aspirations regarding their political future. It has been assumed that an overwhelming majority in Jammu and Ladakh support regional integration within the Indian federation and have struggled for it in the past. However, we have hardly seen any representation from these regions in the peacebuilding process. In stark contrast, the public sentiment in the Kashmir Valley is fractured between three distinct ideological strands: affiliation with India, unification with Pakistan, or the pursuit of independence.

The UN's resolutions on the matter restrict the options for self-determination to integration with either India or Pakistan. Findings from a Chatham House survey reveal a pronounced preference for independence across all three regions (Bradnock, 2010: 15). Nonetheless, ambiguity prevails regarding whether independence envisages a reversion to the pre-1947 status of the erstwhile state of Jammu and Kashmir, or the formation of autonomous political units distinct from any existing national entities. Hence the intricacy of the conflict in Indian-administered Kashmir alone challenges the oversimplified narratives frequently propagated by scholars and commentators, without even considering the further complexities associated with the situation in Pakistan-administered J&K.

In 2019, India unilaterally altered the status of Indian-administered Jammu and Kashmir by revoking Article 370, a provision that functioned as a pivotal conduit between the state and the Indian Union. This significant legislative shift provoked divergent reactions across the three constituent regions of the

state: Jammu, Kashmir, and Ladakh. The forthcoming sections of this chapter will investigate the evolving relationships among these regions and the degree to which these dynamics have shifted since the nullification of Article 370. The chapter will conclude by exploring the implications of the state's bifurcation on the prospects of resolving the Kashmir conflict and its implications for the self-determination claims within the region.

Abrogation of Article 370 and regional developments

The place is highly complex where the lines between majority and minority cannot be drawn in a simple manner. We have here a Muslim majority state (Jammu and Kashmir) within a Hindu majority country (India), a Hindu majority region (Jammu) within the Muslim majority state of Jammu and Kashmir, Muslim-majority districts within the Hindu majority region (currently six of Jammu's ten districts have Muslim majority), Hindu majority smaller administrative units/tehsils within Muslim majority districts (Jammu), and Muslim majority villages within those Hindu majority tehsils (Puri, 1995).

The relationship between Jammu, Kashmir, and Ladakh has always been complex, shaped by their unique regional, ethnic, political, and historical contexts. We often speak of the 'Kashmir question' or the 'Kashmir conflict' as if there is only one conflict or one dispute or a monolithic identity. Indian-Administered Jammu and Kashmir (IAJK) consists of three distinct and diverse regions, each with its own viewpoints regarding integration with India and the *Tehreek-e-Azaadi* [movement for self-determination]. A prime example of these internal and inter-regional ideological differences was the debate over Article 370, which provided constitutional autonomy to Jammu and Kashmir. It can be argued that Article 370 not only set India's relationship with the erstwhile princely state of Jammu and Kashmir within the framework of the Indian Constitution, but also perpetuated the forced integration of Jammu, Kashmir, and Ladakh, a legacy of the Dogra rulers, into contemporary times.

Political groups in Jammu and Ladakh have historically pursued greater constitutional rights, aiming for recognition as a separate union territory or for the attainment of statehood (Mir, 2018). Their contention with Article 370 originated from the belief that it engendered a disproportionate influence of Kashmiri Muslims over the state's administrative affairs. In response, these factions have actively pursued the abrogation of Article 370, advocating for an expansion of constitutional rights and internal self-governance, yet within the ambit of the Indian federal structure.

The Ladakh Buddhist Association (LBA), Jammu and Kashmir National Panthers Party (JKNPP), Jammu Praja Parishad, and Jammu State Morcha (JSM) are a few prominent regional political groups of Jammu and Ladakh which have struggled for regional autonomy. These groups have consistently advocated for the full integration of Jammu and Ladakh into the Indian

federation, in contrast to the prevailing sentiment in the Kashmir Valley, which predominantly favours the external right to self-determination/accession.

Virender Gupta (former JSM president) linked the trifurcation with the resolution of the Kashmir conflict and stated that,

> The trifurcation or reorganisation of Jammu and Kashmir is in the national interest as well as in the interest of all three regions of the state. It will free Jammu and Ladakh from the Kashmiri dominance. The reorganisation will go a long way in solving the Kashmir imbroglio (Hindustan Times, 2013).

Likewise, the LBA started a movement in Ladakh in 1989 demanding Union Territory status. The grounds to demand UT status were the discriminatory policies towards the people of Ladakh (Puri, 2019). It became a mass movement resulting in Ladakh gaining an Autonomous Hill Council.

On the other hand, the demand for self-determination vis-à-vis India and Pakistan has been loudest in the Kashmir Valley, which constitutes most of the population of the state. However, the fragmentation of political groups has complicated their right to the self-determination struggle. These factions are broadly categorised into three ideological groups. The first group advocates for a plebiscite to decide the region's political, cultural, and economic destiny, while acknowledging that Article 370 offered them a form of temporary safeguard. The second group, often referred to as the unionist or pro-autonomy faction, believed that Kashmir's status was adequately protected by Article 370, which they saw as a guarantee of the region's autonomy within the Indian federation. The third group, known as separatists or *Hurriyat Pasand* [resistance enthusiasts], argue for Kashmir's complete sovereignty from India, rejecting outright the provisions of Article 370. Within this separatist camp, opinions are further divided between those advocating for total independence from both India and Pakistan, and those supporting amalgamation with Pakistan.

Kashmiri political groups favouring Kashmir's integration with India strongly opposed the trifurcation of the state on communal lines in the past. Omar Abdullah, President of Kashmir based Jammu & Kashmir National Conference (JKNC) said,

> The very talk of separating Jammu, Kashmir and Ladakh is falling in line with the two-nation theory, which our party has been opposing and will continue to oppose… Jammu & Kashmir is the symbol of secular ethos which people like these (the RSS) are not able to digest (The Milli Gazette, 2002).

Similarly, Mufti Mohammad Sayeed, late president of Jammu & Kashmir Peoples Democratic Party (JKPDP) supported Omar Abdullah and stated,

> These irresponsible demands should be condemned and all attempts to divide the state should be resisted. When there is every possibility of restoration of peace in the state, raising such demands sends a wrong message to the people of the state as well as the international community (The Milli Gazette, 2002).

Political parties advocating for state autonomy within the framework of the Indian federation have consistently invoked Article 370 as a foundation for their political beliefs. However, its gradual erosion and ultimate removal in 2019 exposed the limitations of their positions. Consequently, it can be argued that for a nation without a state, no measure or provision can truly substitute for the complete enactment of the right to self-determination.

The political groups believing in the complete independence from India and with no or limited clarity about the future of self-determination refused to acknowledge the legitimacy of Article 370. The All Parties Hurriyat Conference (APHC) is one such political unit. It is an amalgamation of various smaller factions advocating for the complete independence from India. Among its members, some of the popular resistance groups are Awami Action Committee, Etihad-ul-Muslimeen, People's Conference, Jammu and Kashmir Liberation Front, Muslim Conference, and Jamaat-e-Islami. Since its establishment, the APHC has maintained a resolute political posture. However, within the wider movement for self-determination, there has emerged a division regarding the adoption of either a moderate or a stringent policy stance towards negotiations with the government of India (Bhat, 2022). The APHC released a statement after the abrogation of Article 370 stating that this would further complicate the Kashmir Conflict, and that the only way to resolve the conflict was meaningful engagement with the true representatives of people of Kashmir (Majid, 2021).

The pronounced resistance to the revocation of Article 370 was primarily observed in Kashmir, attributed to the significant psychological bond that numerous Kashmiris held with it. This attachment was fostered over years by various unionist factions, which promulgated the belief that Article 370 constituted a defence mechanism against Indian overreach. In truth, it had been diluted and weakened a long time before through various presidential orders (Noorani, 2011: 336–415). Various groups in Jammu and Ladakh often viewed it as an impediment to achieving their constitutional rights and fostering regional development. They argued that the operationalisation of Article 370 was a key factor hindering development and the full enjoyment of constitutional rights in these regions.

Thus, it is arguable that from its inception, Article 370 has been instrumental in denying the rights to self-determination in all three regions, though in varied forms. It has restricted the Kashmiris' choice among India, Pakistan, or independence; hindered the Ladakhis' pursuit of full statehood within India; and limited the Jammuites' aspirations for enhanced autonomy from

Kashmir's influence. However, the revocation of Article 370 in 2019 did not translate into the empowerment of the regions of Jammu, Kashmir, and Ladakh. Despite expressions of approval from segments within Jammu and Ladakh, the initiative was not rooted in the demands or political efforts of these regions. Rather, it originated from a commitment within the electoral manifesto of the Bharatiya Janata Party (BJP), a Hindu nationalist party in power in New Delhi. This action highlights a top-down approach to policy implementation, where regional aspirations and mobilisations were secondary to national political agendas.

Kashmir has been the most affected region in the context of human rights violations within J&K, and the event of abrogation of the article was no different for the people of Kashmir. Heavy restrictions were imposed in Kashmir fearing harsh reaction from the people. There was a complete communication blockade for many months, and all basic human rights were suspended, in addition to the prevailing subjugation of the people of Kashmir. The political leaders demanding the right to self-determination were either already in jail or placed under house arrest. The BJP government did not even spare the pro-India politicians and placed them under house arrest. Several political leaders were released after signing political bonds, agreeing to stay quiet and not speak against this unilateral state decision. The shocking abrogation of autonomy psychologically affected all the political groups, though with completely different political ideologies.

For an extended period, the predominantly Muslim Kashmir Valley experienced substantial restrictions on access to healthcare, education, and other fundamental needs. In today's digitally dependent society, the imposition of communication blockades profoundly disrupted daily life. The sectors most detrimentally impacted included commerce, education, and healthcare. Beyond the immediate interruptions to everyday activities, significant political alterations were instituted, perceived by many as attempts to alter the demographic composition of the Kashmir Valley. Examples include modifications to land laws, the granting of domicile status to Indian citizens, and the introduction of Hindi as a state language, each posing significant challenges to the indigenous population.

In Ladakh and Jammu, regional actors supportive of the BJP, India's ruling nationalist party, initially hailed the repeal of Article 370 as a corrective measure against perceived discriminatory practices in their regions. However, this celebration was not without its detractors even there; there were concerns about outsiders coming and exploiting resources (Chowdhary, 2019). Those who initially celebrated, partly to underscore their political and ideological divergences from Kashmir, began to scrutinise the Indian government's unilateral actions critically.

For example, Muslim-majority Kargil in Ladakh protested against the revocation of Article 370 and considered it a violation of their fundamental rights to decide their political future (The New Indian Express, 2019). These protests

have persisted and expanded across Ladakh over time, continuing unabated from then until now (Fazily, 2020; Outlook, 2024). The political groups of Ladakh have been struggling for decades for their constitutional rights and regional empowerment. However, they did not appreciate the fact that they were not consulted before granting Union Territory status to Ladakh, also without a legislature assembly (Trivedi, 2019). The absence of Ladakhi people in the decision-making process is equivalent to denying them the right to represent their political interests.

For Jammu, the promise of economic development and political attention has been tempered by apprehension about land rights and job security in the face of new domicile policies, which could allow outsiders to settle and compete for resources and employment. This led to a reconsideration of the benefits of the abrogation, with fears that Jammu's cultural and demographic landscape may be altered without sufficient safeguards for the indigenous population (Bhasin, 2022; Wani, 2023). Both regions' experiences highlight a complex interplay between aspirations for development and integration, and the desire to maintain autonomy, cultural identity, and control over local resources (Ashraf, 2024; Bhatia, 2020). The nuanced shift in sentiment underscores the need for a more inclusive and consultative approach in addressing the political and economic aspirations of Jammu and Ladakh within the broader context of the region's reorganisation.

This unilateral decision by the Indian government, made without local consultation, has stirred resentment among various groups within these regions. Although Jammu and Ladakh historically expressed a desire for greater integration with India, distinct from the Kashmir Valley's aspirations for autonomy or independence, the manner of integration – stripping away autonomy without local consent – has led to disillusionment. Ladakh's long-standing demand for Union Territory status was granted, but without the promised legislative assembly, sidelining local voices and governance aspirations. Similarly, in Jammu, despite some initial support for the abrogation of Article 370, concerns have emerged about the implications for regional autonomy and the future political landscape. Hence, it can be argued that the loss of autonomy and the manner of its execution – ignoring the will and diverse aspirations of local populations – has contributed to a sense of disenfranchisement and alienation in Jammu and Ladakh, complicating the already tangled web of affiliations and aspirations within the erstwhile state.

Bifurcation, conflict resolution, and the future of the right to self-determination struggle

The primary stakeholders in the resolution of the Kashmir conflict have traditionally been India, Pakistan, and the UN. Since the partition of British India in 1947, both India and Pakistan have staked claims over the territory

of the former princely state of Jammu and Kashmir. The British government's partition of British India into two sovereign states, based on religious lines, overlooked the complex realities on the ground. Consequently, disputes arose over several small independent states that were under British suzerainty at that time, notably including Hyderabad, Jammu and Kashmir, and Junagadh. While India and Pakistan resolved the status of the other disputed states, they were unable to reach a settlement for Jammu and Kashmir. The UN intervened to mediate the dispute, thereby becoming a key stakeholder by offering various proposals. However, the UN's mediation efforts ceased in 1972 with the signing of the Shimla Agreement by India and Pakistan, which reclassified the Kashmir conflict as a bilateral issue. Yet, the conflict's most critical stakeholders – the people from every region caught in this turmoil – have perpetually lacked the chance to articulate their political aspirations and assert their right to self-determination.

Does the 2019 bifurcation by India offer a solution? It seems unlikely. India and Pakistan have previously dismissed proposals for resolution, some of which were more inclusive and pragmatic. The UN appointed several representatives to address the Kashmir conflict, but I argue that Sir Owen Dixon's report (Dixon. 1950) from the early 1950s stands out as particularly comprehensive and forward-looking. It distinctively acknowledged the regional diversity of the erstwhile state of Jammu and Kashmir, and his suggestions remain pertinent today. Therefore, this section will delve into Dixon's report in depth, to shed light on the current complex regional and political realities.

The Dixon Report contained practical suggestions for settling the dispute. Owen Dixon reported that his proposals for demilitarisation were dismissed by the prime ministers of India and Pakistan, who also voiced their reservations. Surprisingly, neither side offered any alternative strategies or solutions to facilitate the demilitarisation process (Dixon, 1950). Moreover, Dixon proposed that a free and fair plebiscite required the establishment of a single, unified government across Jammu and Kashmir. He put forward three viable proposals for creating a single political administration to govern the entire state during the plebiscite, which would include local representatives.

The refusal of both India and Pakistan to accept his proposals prompted Dixon to pivot from the UN-recommended plebiscite to determine the future of the former state of Jammu and Kashmir towards alternative resolutions. Acknowledging the stark divergence in the approaches of India and Pakistan, Dixon proposed a different plan to address the conflict. He introduced the concept of a partial or limited plebiscite (p. 36), advocating for a regional plebiscite specifically within the Kashmir Valley. The prime minister of Pakistan rejected this specific proposal and strongly advocated for the plebiscite in the whole state of J&K. On the other hand, the prime minister of India appreciated the proposal, showed willingness to work on it in depth and to decide the modalities of the proposal in detail, but dismissed the idea of a plebiscite in the whole state of Jammu and Kashmir (Dixon, 1950: 37–38).

Dixon stated in his report that he was unable to comprehend why it was problematic for both governments to consider the boundaries of the plebiscite and the conditions to ensure the independent voting. Defining the exact geographical scope where the plebiscite should take place involved agreeing on which areas of the disputed territory would be included. This decision was crucial as it could significantly influence the outcome, depending on the demographic makeup of the proposed regions. Establishing conditions that ensured the plebiscite's integrity and the independence of voters was critical for the legitimacy of the process and the acceptance of its outcome. This included measures to prevent coercion, ensure free speech, and allow the uninhibited movement of people and ideas. Dixon's difficulty in understanding the reluctance or inability of India and Pakistan to agree on such conditions pointed to the deeper challenges of creating a neutral and fair environment for the plebiscite.

Dixon (1950: 45) concluded his experience of negotiations with India and Pakistan as, 'At all events, I have formed the opinion that if there is any chance of settling the dispute over Kashmir by agreement of India and Pakistan, it now lies in partition and in some means of allocating the valley rather than in an overall plebiscite'.

Dixon dismissed the notion of a unified Kashmir, asserting that the state of Jammu and Kashmir consists of diverse territories lacking geographic, demographic, or economic coherence. He pointed out that the only commonality among these territories was their historical governance under the political authority of the Maharaja. He also criticised the governments of India and Pakistan: 'So far the attitude of the parties has been to throw the whole responsibility upon the Security Council or its representatives of settling the dispute, notwithstanding that, except by agreement between them, there was no means of settling it '(1950: 46–47). Dixon concluded his report by recommending that the Security Council should intensify pressure on both countries to address the dispute, emphasising its significant threat to international peace and security. Since then, the situation has remained unfavourable for genuine dialogue and a lasting resolution.

Both India and Pakistan have historically adopted positions that overlook the need for inclusive regional representation in addressing the Kashmir conflict. India's approach has been to frame Kashmir as strictly a bilateral issue with Pakistan, arguing against the involvement of any third parties in the dialogue (Business Today, 2017). Despite declaring the dispute bilateral, India has shown reluctance to fully engage with Pakistan, often cancelling scheduled diplomatic meetings (Aljazeera, 2018). On the other hand, Pakistan has emphasised the importance of including specific political factions, particularly the pro-Pakistan APHC, in the negotiations.

This focus has led to the exclusion of other significant minority self-determination groups within Kashmir and the broader regions of Jammu and Ladakh. In the past, the deadlock in bilateral talks has frequently centred on whether the APHC leadership should be involved, with both nations expressing

reservations about their participation or absence (Barry, 2014). Pakistan argues that without the Hurriyat, the talks lack legitimacy, as they believe the APHC represents the genuine aspirations of the Kashmiri people.[35] Meanwhile, India has not recognised the APHC leadership as legitimate representatives of the Kashmiri people, dismissing them as 'paid agents of Pakistan' in the Kashmir Valley and labelling them a third party (Ahuja, 2018).

Since the abrogation of Article 370, there have been few to no political or military engagements between India and Pakistan, and the evolving dynamics of global and South Asian politics imply that discussions may not resume soon. However, previous interactions between India and Pakistan prompt several questions. Firstly, who truly represents the Kashmiri people? Is it the political groups backed by India or those supported by Pakistan? Neither state appears willing to acknowledge any group as a representative of the Kashmiri people if it receives backing from the rival nation. This raises the issue of the criteria for being considered a legitimate Kashmiri representative. Furthermore, why have both countries consistently failed to involve representatives from other regions of the former state of Jammu and Kashmir in discussions? Can the Kashmir Valley alone speak for the other regions of the erstwhile state? Addressing the dispute effectively requires the involvement of all affected parties. It is crucial for all regions to articulate their political interests in pursuit of a comprehensive settlement.

The question of the absence of regional representation leads us towards the leadership of the respective regions. Bose (2021: 257) argues that one of the reasons for the absence of regional representation is the lack of strong regional leadership.[36] I agree with Bose; however, regions cannot be blamed for not producing strong leadership to represent their political interests when their fundamental human rights have been snatched from them. The first step for political mobilisation is to have a right to assembly. In many parts, especially in Kashmir, people do not have access to any democratic space where they can have open discussions regarding their political future (Hassan, 2018). With the electoral political landscape significantly constrained, social and religious institutions have stepped forward as the primary channels for articulating opposition and mobilising the resistance movement in Kashmir. The

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[35] *Hurriyat* is an Arabic word meaning freedom, liberty, or independence. The All Parties Hurriyat Conference (APHC) is an alliance of various factions struggling for the right to self-determination in Kashmir. They do not hold any public office and do not represent any constituency in the State Assembly of Kashmir, but do enjoy overwhelming public support. It was formed on 9 March 1993.

[36] In the same book Bose has multiple times mentioned 'Pakistani and Indian Kashmiris'. This book managed to avoid the traditional narrative around the conflict but still failed to acknowledge the regional identities which in my opinion is the most important step towards to conflict resolution. It is not helpful to talk about political agency without acknowledging the regional/political/cultural identities of the people in question.

suppression of the right to assembly in Kashmir is deeply rooted in historical and contextual factors.

In 1931, shrines and mosques emerged as pivotal sites for political resistance due to the lack of conventional political arenas (Hussain, 2021: 40). As these religious venues became focal points of dissent, they were initially targeted by the state to curb the political discourse within society. This strategy was similarly employed during the abrogation of Article 370, based on the anticipation that such places would serve as platforms for public expression of dissent. It has since been revealed that there was systematic profiling of mosques in the years leading up to the repeal of Article 370. The state compiled a list of 'radical mosques' to analyse resistance patterns in Kashmir (Brighter Kashmir, 2019; Ganai, 2016; Kashmir Observer, 2016).

In the aftermath of the annexation in August 2019, prominent places of worship, including the Jamia Masjid, were shut off to the public under the pretext of maintaining law and order. The freedom to express oneself is relatively more accessible in Ladakh and Jammu, largely due to the prevailing desire among the majority for complete integration with the Indian federation. Despite their support for the Indian government, the residents of Jammu and Ladakh have not been afforded the opportunity to freely articulate their political preferences.

The three regions have been subjected to various human rights violations, including the denial of their right to shape their political futures. The constraints on freedom of expression, extensive surveillance measures, and limited opportunities for meaningful dialogue are primary factors inhibiting the emergence of strong regional leadership. While this discussion primarily addresses India's role, it is crucial to acknowledge that both India and Pakistan have systematically stifled public discourse through repressive policies in their respective regions (Ali, 2019; Hussain, 2021). Thus, the lack of potent regional leadership can be attributed to the actions of both states, rather than to the regions themselves.

The resolution of the Kashmir dispute necessitates proactive involvement from the UN, especially considering recent political shifts. However, the UN's resolutions have often missed the intricate layers of the conflict and the broad spectrum of stakeholders involved. Attempting to resolve the situation in 2024 with strategies rooted in the political context of 1947, without considering the contemporary realities, is an ineffective strategy. Moreover, any resolution process that excludes regional voices from peacebuilding efforts is bound to be ineffective. The lack of participation from all regions embroiled in the conflict will only lead to imposed solutions rather than empowering the people with their right to self-determination.

Bifurcation and the removal of statehood as India did in August 2019 are not credible solutions to the conflict, let alone any answer to the question of self-determination. While India and Pakistan are unlikely to decolonise their governance of the region, it is important for us as scholars to be honest and reflect on our own positions. Do we produce scholarship that is 'safe' by siding with

one nation-state or the other? Or do we acknowledge coloniality in its context and speak truth to power? Do we homogenise the conflict actors and assume that the stateless nation of 'Kashmiris' is unified in its experience of suffering or in their aspirations? Or do we acknowledge a plurality of experience and aspirations, even if that means questioning the very identities that are meant to be in conflict, whether as victim or as victimiser? By referring to differing regional aspirations, this chapter seeks to remind us of the need to appreciate plurality while studying coloniality and conflict.

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CHAPTER 7

Organising for Freedom: Reflections on the Kashmiri and Kurdish Struggles

Radha D'Souza

This chapter is a reflective essay on civil liberties and democratic freedom when oppressed nations like Kashmir and Kurdistan organise for self-determination. Rather than focus on scholarly analysis of conflict and coloniality the way other contributors to the book have done, I reflect on the questions that struggles for self-determination of nations such as the Kashmiri and Kurdish nations throw up for activists who stand in solidarity with their aspirations for freedom and justice. Civil liberties are fundamentally state-centric, being about relations between state and citizens. Where does that leave people like the Kashmiris and Kurds who are denied the opportunity to decide whether they wish to be citizens of the nation-state? This chapter draws on my work as campaigner within both movements, with Peace in Kurdistan and Freedom for Öcalan campaign in Europe, and with the Committee for Protection of Democratic Rights and my practice as civil liberties lawyer in India, to reflect on the meaning of civil liberties and democratic freedoms. My reflections below pose questions about prevailing conceptions of law and statehood, and the assumptions that social justice movements make about them. These reflections do not suggest answers. The Kashmiri struggle for self-determination, following classical ideas of self-determination, sees independent statehood as the pathway to freedom from

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oppression by India and Pakistan for the Kashmiri nation. The Kurdish struggle followed the same political programme for independent statehood vis-à-vis the Turkish state, but changed tack after Abdullah Öcalan, the leader of the Kurdish movement, reconceptualised self-determination as democratic-confederalism. While the older conception of self-determination saw the state as the locus of power, Öcalan's reformulation shifted the locus of power to the Kurdish communities. In this essay I reflect on whether these divergences in conceptions of state and community in both movements have altered, or improved, the political context for freedom from state oppression.

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Unlike other contributors to this volume, I am not an expert or a scholar on the Kashmir conflict or the Kurdish question. Indeed, I have never written a scholarly research article on either subject. I do not intend to.[37] I have, however, been associated with the Kashmiri struggles for freedom for over three and half decades, as a member of the democratic rights movement and civil liberties lawyer in India, and as a member of the Kurdish movements for over a decade and a half as an international solidarity activist and social justice campaigner in Europe. It is best that we do not carry the things that are priceless to us to the marketplace. Just in case, amidst the hustle and bustle of the place, we are tempted to put a price-tag on that which is priceless and put it up for sale – like human freedoms for example.

Academia posed new challenges. As a latecomer to academia and joining it, as I did, at the height of neoliberal reforms of higher education everywhere, I decided early on that I would not bring knowledge about human freedoms and justice into the global education marketplaces. Around me, activist scholarship, a new brand of academic scholarship, paralleled the rise of the neoliberalisation of higher education. Activist-scholars debated the relations between theory and practice even as they enthusiastically embraced research impact activities, and universities showcased socially engaged research by their employees in the hope of improving the universities' research incomes. How did socially engaged knowledge produced within the institutional constraints of the universities colour our knowledge of human freedoms? Did that

[37] Writing as an activist, I do not engage with the scholarly writings of other academics, with the relatively new sub-field called 'Social Movement Studies' literature, or with conventional questions about theories and methodologies in academic scholarship. I have, however, referred to a small selection of essays that I wrote for activists and social movements, not as an academic or scholar, but as their fellow-traveller. I do this more to orient my memory of the events and to point readers to non-academic sources if they are interested in getting a flavour of the debates that happen within social struggles.

knowledge channel the actions for freedom and justice in the real world? These are wider questions for another time (see D'Souza, 2009).

Coming to academia after decades of activism, the big questions that social theorists debated, such as the relationship of theory and practice, structure and agency, were confusing to say the least. What are the wellsprings for our actions? If it were in our capacity to reason, the world would already be a free and fair place, which clearly it is not. The sources of our actions must, surely, lie elsewhere? What happens to our desire for freedom when those springs dry up? I had to be selective, I decided, about what knowledge I brought to the education marketplaces and what I kept out of it.

I have never written academically about civil liberties, democratic rights, political prisoners, struggles for self-determination, issues that are not limited to reason, logic and theoretical analysis. My reflections in this essay raise more questions than provide a definitive scholarly analysis. It is my way of safeguarding the wellsprings of my own desire for human freedoms, my own self-constructed checks and balances to ensure that in my desire to find my place within academia, I do not lose my way in the real world. I do, however, write about these issues, about democratic freedoms, political prisoners, self-determination, and much else for activists, for my comrades and my fellow travellers in our common search for freedom and justice, people with whom I can commune openly about shared hopes and aspirations without fear of being disciplined by academic disciplines.

I am fortunate that I could make those choices. For myself as a South Asian, a long line of teachers in the *sant-kavi* [philosopher-poet] traditions from across the subcontinent and beyond, and for many, many centuries, have nurtured my soul. The educational infrastructures for 'natives' by latter-day Macaulays (colonial and neo-colonial administrators) and the training in theories and methodologies never quite silenced the warnings about scholarly knowledge from the line of philosopher-poets, warnings which continue to remain deeply entrenched. From time to time, philosopher-poets like Hazrat Jalal-ud-din Rumi surfaced from the depths of nowhere in the middle of research committee meetings with reminders like:

> If in the world thou art the most learned scholar of the time, behold
> The passing-away of this world and this time! [I: 2845, D'Souza, 2014b)]

This is a reflective essay, my reflections on my own work. Nothing more.

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A bus shuddered, stuttered, and stopped beside the pavement in Lal Chowk, the city centre in Srinagar, the capital of the state of Kashmir. Four Indians, the last remaining passengers in the bus, got off. No sooner had the last person stepped down than the empty bus sped off and disappeared into the darkness.

If the four Indians had hoped to glean local knowledge from the bus driver about hotels, directions, or other information, that hope dissipated quickly. Lal Chowk plunged into the depths of darkness. The sun had disappeared. No streetlights, shop lights, and hotel lights, not even home lights, had appeared to take the sun's place. It was nearly 6pm in the evening. It was the winter of 1991.

In the years that followed, when recounting the scene of the arrival of the first fact-finding team put together by democratic rights organisations from different states in India to report on the Indian Army's treatment of Kashmiris, I could stop my tale there. Heads would nod, sighs would follow, and often I could see disbelief in the eyes of the listeners. The early 1990s were a watershed moment in the Kashmiri nation's struggle for freedom and self-determination. It was the height of the first wave of insurgency in the valley. A new form of struggle for an old demand.

A shadow emerged from the depths of darkness.

'Quick. Quick. Follow me,' the shadow whispered with palpable urgency. What could the fact-finding team do?

'Stay close to the wall,' the shadow urged as it ushered the four people, one woman and three men, to follow, which of course they did obediently. There was something sinister in that darkness. The shadow led the team to a *shikara* – those small wooden boats that floated lazily on Dal Lake in posters published by India Tourism, uniquely Kashmiri boats that the team members from states at the other end of the subcontinent – Maharashtra, Karnataka, Andhra Pradesh, and West Bengal – had only seen in Bollywood films. On Bollywood screens Kashmir always looked like a paradise on earth with beautiful lakes, snowclad mountains, apple orchards, and fair-skinned women.

The shadow dissolved, and from it emerged a squat, broad-shouldered man, not at all fair-skinned. 'There are shoot-at-sight orders for the entire city – there is a curfew in place,' he told us with the same urgency. 'You could be shot.'

If he thought we were idiots to venture into Srinagar during such dark times, he held back from saying it. Although we had compiled a list of names and organisations of people to contact on our fact-finding mission, the team had decided to simply land up and get an unmediated impression of the situation in the state.

How did the shikara owner know four persons had arrived at the city-centre in that darkness? Why was he impelled to rescue them from being shot at by Indian soldiers who paced the streets to enforce the curfew? Did he know we were not Kashmiris? Yes, he told the team, when asked, because no Kashmiri would venture out at that time of the evening.

That night, in that dilapidated shikara, over a meal of leftover *rajma* [red kidney beans] and rice, freshly cooked by the woman of the house (boat), with bedraggled children fast asleep in a corner and cockroaches peeping in and out, the fact-finding team recorded their first witness testimony – a sweeping view of the military situation in the Kashmir Valley. The team was there to report back to the people of the subcontinent on life under the Indian Army for the

people of Kashmir, hoping to stir their conscience into action. India's motto under her constitution is *satyameva jayate* [truth alone prevails]. Truth, the team hoped, would prevail. The post-truth era had not arrived yet.

Since then, over three decades, many more fact-finding missions by democratic rights organisations, women's organisations, journalist associations, trade unions, film makers, academics, and many others have travelled to Kashmir and reported on the situation in Kashmir and the misdeeds of the Indian Army in the name of fighting an insurgency. Lawyers have challenged the impunity that the Armed Forces (Special Powers) Act gives to ordinary soldiers. Kashmiris have done their own fact-findings. Mass graves were discovered, rapes by soldiers uncovered, lists of disappearances of young men drawn up, names of men extrajudicially killed compiled with meticulous detail, police complaints filed about excesses by the army, court cases initiated, violations of press freedoms recorded, the doors of the United Nations (UN) knocked, appeals to international human rights organisations made, and much else. Yet Kashmiris and democratically minded Indians keep sending more fact-finding missions, each year, record more violence by armed forces, and write more petitions and reports for the world at large. Why do they do it? How many 'facts', how much 'information', 'evidence', and 'truth' are needed for reason to transform into actions?

In the decades that followed, when appearing in courts, writing reports about violations of civil liberties, or reading about conventions on civil and political rights, one incident from that first fact-finding mission invariably reappeared before my mind's eye. The team visited Srinagar hospital. We were informed that a few men who had been shot by the Indian Army had been brought to the hospital the night before. The team were in the middle of interviewing one such patient who lay there with a glucose bottle hanging on the iron stand by the bedside, legs and face bandaged, and obviously in pain. The resident doctor hovered over the man, describing to the team the condition of the patient when he was admitted to hospital the night before, referring to his medical casefile as he spoke. Three uniformed soldiers marched into the ward and without a word wheeled the bed away together with the injured man, the glucose bottle, stand, and all. The punishment for speaking to the fact-finding team. What happened to that man? I continue to wonder.

If the incident was shocking in late 1991, it is no longer so. That is the change that has occurred over the decades. What can people do when reason, truth, and justice fail? What should people do when freedom is on a dead-end road? What should people do who wish to stand in solidarity with people struggling against state oppression?

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Kashmir is in South Asia, however: a subcontinent that is home to a quarter of humanity, poor ones at that. In the complex web of states established by

colonial rulers, democracy was perhaps always an alien transplant in South Asia. What about modern Europe? As the homeland of modern democracy, its laws and its institutions are, after all, the new standards of civilisation.

Most Europeans at least will agree that the European Convention on Human Rights (ECHR), for example, is one such standard. The cornerstone of the new standard of civilisation is the 'rule of law', a rubric of legal standards that must exist for a state to be classed as 'civilised'. Undergraduate law students around the world, including in my own university, are taught about its salient features: fair and impartial trials, access to justice, privacy of communication with lawyers, humane conditions of detention, family visits for prisoners, freedom from torture, an independent judiciary, personal responsibility for crimes, and proof beyond reasonable doubt in criminal offences being some of them. It is the standard by which states around the Third World continue to be assessed, evaluated, and judged. The journey from Srinagar in that winter of 1991 to Strasbourg in the summer of 2016 proved to be a long and confusing one.

Inside the stern official building of the European Commission's secretariat, a group of people from diverse walks of life – Catholic priests, community workers, academics, lawyers, and others – sat around a table waiting in anticipation for the arrival of the secretary of the Committee for Prevention of Torture and Inhuman or Degrading Punishment (CPT), a subcommittee of the European Commission established to oversee the implementation of the ECHR by member states. The Imrali delegation, a team of so-called 'citizens of conscience' (aren't all citizens supposed to have a conscience in a democracy?), had made several unsuccessful attempts to contact different government departments in Turkey to enquire about the most well-known political prisoner of our times in their custody: Abdullah Öcalan, the leader of the Kurdish nation, the sole prisoner on the isolated island of Imrali for under two decades at that time. The delegation was there to meet with the secretary of the CPT to ask if *he* would visit Öcalan instead. CPT officials had last visited Öcalan on Imrali island in 2013. Since then no lawyer, family member, or anyone else had seen Öcalan or spoken to him for three years. Would the CPT official kindly pay another visit to check if he was even alive? And, if so, if he was alive *and* well?

Simple, softly spoken, the gentle Judge Essa Musa, head of the Imrali delegation, defence lawyer for Nelson Mandela, a former judge who tried to steer post-apartheid South Africa towards the 'rule of law', sat opposite the self-assured, elegant, emphatic secretary of the CPT across the table. Mr Secretary told the delegation decisively that he would not be able to visit Imrali prison's sole occupant.

Why?

The CPT's secretary became visibly annoyed at the delegation's question (D'Souza, 2018).

The common adage 'speaking truth to power' becomes rather confusing when viewed from such close quarters. What does it *really* mean to 'speak truth to power'? Those in power know the truth, indeed they know it far more

intimately than the less powerful. The secretary of the CPT talking to the Imrali delegation that day knew not only the truth about the conditions of Öcalan's imprisonment far better than any member of the delegation did, but equally the reasons for the silence of the European states for which he served as the CPT's secretary. What does it mean to 'speak truth to power' when truth is so closely guarded by power, and rendered opaque by it?

Perhaps, at the end of the day the CPT officials were bureaucrats, waged employees of European states that had signed on to the ECHR for whatever reasons. Members of the judiciary are different. Judges occupy an esteemed status in liberal societies.

In *Öcalan* v *Turkey*,[38] decided 11 years before the Imrali delegation met with the secretary of the CPT, the Grand Chamber of the European Court of Human Rights (ECtHR) determined that Öcalan's right to legal remedies were breached by Turkey, that his trial had not been fair, that he was not produced before a judge promptly after his arrest, and that the Turkish court that passed the death sentence on him was neither independent nor impartial.

The court dutifully recorded facts about the part played by the states of Kenya, Greece, the Netherlands, Italy, Russia, and Turkey in the abduction, arrest, and torture of Öcalan. In the court's opinion, as the states had consented to each other's actions and none complained about other states, their actions did not breach the ECHR. The media everywhere were buzzing with news about the CIA's involvement in the abduction and arrest of Öcalan.[39] The CIA was not even mentioned before the ECtHR. Who had the evidence? National security is typically outside the remit of courts, national and international, and as an independent statutory body, the CIA is not legally answerable even to US legislatures (D'Souza, 2019). But evidence is exactly the thing that courts say is needed to do justice, and is just the thing states say they cannot divulge in the interest of national security.

By a curious turn of fate, the findings by the ECtHR of unfair trial and breaches of the ECHR saved Öcalan's life. As the trial was unfair, the court ruled, Turkey could not impose the death penalty even if Turkish national law permitted the extreme penalty, a fact that the CPT secretary made a point to remind the Imrali delegation about (D'Souza, 2018). The court did award the lawyers their fees of €120,000, together with interest if Turkey delayed the payment.

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[38] ÖCALAN V. TURKEY. App. No. 46221/99, <http://www.echr.coe.int>. European Court of Human Rights (Grand Chamber), 12 May 2005.

[39] E.g. Helena Smith (19 February 1999) 'Athens in crisis over CIA links to Öcalan capture' *The Guardian*, retrieved 24 February 2022 from https://www.theguardian.com/world/1999/feb/19/kurds.helenasmith
Helena Smith, Chris Morris (21 February 1999) 'Global plot that lured Kurds' hero into trap' *The Guardian*, retrieved 24 February 2022 from https://www.theguardian.com/world/1999/feb/21/kurds1

During the first ECHR court hearings in 2001, CPT officials had visited Imrali island prison to report on the conditions of his imprisonment. The CPT presented photographs of the prison, which had bookshelves, clean toilet, bed, and air-conditioning. They argued that indefinite solitary confinement could be considered a form of torture. The Grand Chamber was satisfied with the photographs and avoided ruling specifically on whether indefinite solitary confinement amounted to torture, and what periods of solitary confinement were legally permissible.

With the hearings completed, Turkey took away the bookshelves, denied access to books, access to lawyers and private communications with them, prison visits by family, and phone calls. In the room that day, the CPT secretary remained silent (or helpless, we will not know) on a standard the CPT had themselves advocated before the ECHR.

Outside the European Commission building, groups of Kurdish and democratically minded, truth-seeking protesters gathered daily as they had done for weeks, months, years, demanding – at the least – Öcalan be allowed to communicate with lawyers, family members, and his well-wishers. Öcalan remains in solitary confinement as the years pass by, without access to lawyers or family members. What can we say about standards of civilisation, about the ECHR?

What was Öcalan's crime, however? What did he do that so frightened Turkey and silenced the European Commission's CPT?

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Öcalan v *Turkey* (2005) notes that Abdullah Öcalan was indeed the leader of the Kurdish nation. That from 1973 to 1978 there were democratic campaigns for the recognition of the Kurdish nation, their language and culture, but with no effect on the Turkish state. By 1984 Öcalan came to believe that the failure of democratic politics left the Kurdish nation with no alternatives except an armed struggle for an independent Kurdish state. However, by 1991, (about the time the democratic rights organisations in India sent their first fact-finding mission to Kashmir), Öcalan and the organisation he had established, the Kurdistan Workers' Party, or the PKK, had ended their armed conflict and withdrawn their demands for an independent Kurdish state. The Turkish state had made significant concessions on the rights to the culture and language of the Kurdish nation. Instead, Öcalan proposed a plan for viable and lasting peace for the Kurdish nation within a unified Turkish state.

Öcalan's lawyers, at the initial court hearings in Turkey, had asked the Turkish court to allow them to examine the government officials who had engaged in peace negotiations as defence witnesses. The Turkish courts declined this request. What transpired between Öcalan and the Turkish state in those negotiations? We will never know. Courts are expected to decide disputes based on evidence. In criminal cases, *mens rea* or intention is a pivotal element to decide the guilt of the accused. What is to be done when courts do not permit evidence

on pivotal questions – in Öcalan's case, evidence that he had called for a ceasefire and there were real negotiations with the Turkish government to find a just and peaceful settlement, and therefore no intention to engage in the criminal acts that he was accused of?

After the *Öcalan* v *Turkey* (2005) decision, and Öcalan's solitary confinement in Imrali prison, once again, in 2011, Turkey initiated peace talks with him. What did they talk about? We will not know either from Öcalan (no one can visit him or speak with him) or Turkey (as it is a national security matter, and therefore confidential). If the Turkish state was willing to restart peace negotiations, why the refusal of family and lawyer visits?

Regardless, Öcalan's peace plan in 1991 generated a sense of optimism in the Kurdish and democratically minded non-Kurdish people in Turkey and Europe. A train of parliamentarians, lawyers, democratic organisations, and others trekked to meet Öcalan, then living in Syria in exile. Hopes surged for a peaceful settlement of the status of the Kurdish nation within a Turkish constitution. Even in faraway India, democratic rights movements became curious about the peace process to resolve another nationality question, in a different context and a different region.

Beginning with national liberation struggles against colonial rule everywhere, freedom from national oppression was articulated as a demand for independence and statehood. The right of nations to self-determination is enshrined in the UN Charter. Öcalan posed a question to the Kurdish nation that had been self-evident until then for most oppressed nations: why do we want statehood? On becoming independent, most of the states that were born from national liberation struggles for self-determination against colonial rule, became as oppressive, if not more, as their colonial masters had been. They used the same armies and institutions of the colonial state and colonial laws to put down diverse nationalities and ethnic, religious, and linguistic groups within their states in the same manner as the colonial rulers had done. Öcalan took this argument a little further, arguing that tyranny is inherent in the very nature of the state as an institution (D'Souza, 2020). Besides, in the Kurdish regions there were many other oppressed nationalities and religious denominations: the Azeris, Assyrians, Alavis, Yezidis, and Shias. What is the guarantee that a Kurdish state would not become as oppressive towards them as the Turkish state was to the Kurds, after they won their statehood?

On the other hand, had the Turkish state been genuinely democratic, it could potentially at least accommodate all nationalities, religions, cultures, races, and languages. Besides, there were many Turkish people who were also oppressed, even when they were governed by a Turkish state. From this Öcalan concluded that the Kurdish nation could be free only when all other nations and peoples of Turkey, Syria, Iraq, and Iran were free. The Kurdish nation in Turkey should work to democratise the Turkish state, and they should work for freedom, not only for the Kurdish nation but for all the nations of Turkey and all sections of society who are oppressed by the state. Instead of demanding statehood, the

Kurdish movement for freedom should build a confederal structure comprising all nations and communities, and insisted that the new confederal structure should put women and ecology front and centre of their programmes for bottom-up change. Stronger, confederated communities were better placed to withstand state oppression and build freer societies, Öcalan argued. A confederal structure could, potentially at least, be accommodated within new constitutional arrangements in Turkey. Claims to '*my* freedom' gave way to claims for 'your freedom *and* mine' within the Kurdish movements (D'Souza, 2018) (see Tekdemir in this volume).

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In India too, multiple languages, religions, denominations within each religion, castes, ethnicities, cultures, and nationalities criss-cross to form intricately woven cultural webs that sparkle and look beautiful when the political sun shines, but are fragile and easily broken by political storms. As in Turkey, the misdeeds of the Indian army are not limited to Kashmir. There are similar stories of the Nagas, Mizos, Manipuris, Assamese, and Punjabis, who also faced the wrath of the Indian Army, and were subjected to the arbitrariness of the Armed Forces (Special Powers) Act. And then there were the *Adivasis* [First Nations] against whom armed forces conducted military operations from time to time under different laws. There were the Tamils, Muslims, and Dalits who experienced state oppression in different ways, all dutifully recorded by the umpteen fact-finding reports of various democratic rights organisations across India over four decades. What does self-determination, that neat phrase in the UN charter, mean in a state where people in a third of its territory have been under army rule of one type or another for decades, and the army is deployed in the name of constitutional democracy?

Often, when listening to Kurdish campaigners speaking about Öcalan's political reasoning that prompted him to conclude that a viable and lasting peace within new Turkish constitutional arrangements, and not statehood, was the only pathway for freedom of the Kurdish nation, my mind would drift to Kashmir. What if?

What if South Asia's own Abdullah Öcalan were to appear miraculously in Kashmir? What if the Kashmiri Abdullah were to say: 'Too many Kashmiris have died fighting the Indian state, too many nations of India live under the tyranny of the armed forces, the tyranny of anti-terrorism laws, too many people in the subcontinent live in fear?' What if the Kashmiri Abdullah were to say: 'Your freedom *and* my freedom', that freedom for Kashmiris was contingent on freedom for Nagas, Mizos, Manipuris, Assamese, Punjabis, Tripuris, Tamils, Adivasis, Dalits, Muslims, Christians, and a host of peoples of the subcontinent?

Minds that refuse to be disciplined by academic disciplines have a propensity to wander, but the realities of their world enforce the discipline that the academia fails to do. The Kurdish Abdullah was in prison for proposing the

democratisation of Turkish society as a condition for a just peace for Kurdish people. And his proposals terrorised the Turkish state. Why should the Kashmiri Abdullah's fate be any different, or the Indian government's response for that matter? Are we to understand, then, that real and substantive democracy terrorises states?

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Öcalan's idea of democratic confederalism as the pathway to building democratic societies that so inspired Kurdish activists stunned me when I first heard about it. In South Asia, at the turn of the 20th century, the Ghadar movement, one of the most significant movements for freedom from colonial rule after the First War of Independence in 1857,[40] proposed a confederation of *quoms* [nationalities] of the subcontinent, arguing as Öcalan did, that the nation-state model was simply not a workable framework for *azad Hindustan* [free India]. There were too many criss-crossing identities, and no South Asian could reduce herself to any single identity. Ubaidullah Sindhi, one of the prominent leaders of the movement and member of the first government-in-exile in Kabul, proposed a constitution for *azad Hindustan* founded on a confederation of nationalities within four broad linguistic regions. The Ghadarites were brutally killed and tortured, and the movement forcibly suppressed (D'Souza, 2014a). It added a new phrase to political vocabulary: *the Troubles*, the 'Punjab Troubles' as it came to be called by Great Britain. A hundred years later, Öcalan proposed something similar to what the Ghadarites had done at the turn of the century: a confederation of nationalities. How do comparable ideas re-emerge in very different contexts when confronted with similar questions? (Sinayiç and Kansoy, 21 February 2020). What might Kashmir be today had Sindhi's constitution prevailed?

Around me today, defenders of democratic freedoms in the subcontinent and around the world are frustrated that the special status of Kashmir under Article 370 of the Indian constitution, inserted when the constitution was adopted over seven decades ago, was unilaterally and arbitrarily repealed. Wave upon wave of anger and resentment swell up in Kashmir day after day, month after month. Article 370 of the Indian constitution established *temporary* arrangements for the governance of Kashmir to accommodate the Instrument of Accession. Why temporary? Because Kashmiris were promised a plebiscite to decide their future, a promise formalised by the UN Security Council in UN Resolution 47/1948. The Kurdish people too were promised a plebiscite by the League of Nations.

Kurdistan had been a colony of the Ottoman Empire before the First World War. During that war, the British and the French agreed under the Sykes-Picot agreement that the Ottoman colonies would be divided between them after the war ended. Under the League of Nations, Kurdistan was divided between French and British mandates, with a promise that a plebiscite would be held after the

[40] Known as 'the Indian Sepoy Mutiny' in British history.

war to determine the views of the Kurdish people on their status. Instead of a plebiscite, promised under the Treaty of Sèvres in 1920, Kurdistan was divided between Iran, Iraq, Syria, and Turkey after the First World War ended.

In that winter of 1991, when members of the citizens' fact-finding team dashed frantically from one place to another during the small curfew-free windows of the day, they frequently went past the building that housed the UN mission for Kashmir, a physical reminder of the promised plebiscite. If Kenya, Greece, the Netherlands, Russia, Italy, and Turkey had colluded in Öcalan's arrest and detention, India and Pakistan had already, between them, decided to exclude the Kashmiris from talks to settle their dispute over Kashmir. The Shimla Agreement in 1972 formalised the agreement giving the UN Security Council an exit route from the promised plebiscite that the Kashmiris have waited for for over seventy years. The UN mission continues, and its building remains in Srinagar. What is its mission now?

Are we to conclude then that when states collude, neither individuals nor nations have a say in their fates? Where does that leave democracy?

*

My reflections in the foregoing sections have raised more questions than answers. Indeed, this essay has been a string of questions with no attempt to answer them. I sit in my office and stare at the books on my bookshelf: volumes by the *Supreme Court Cases* reporter in their ink-blue jackets, issues of the journal *Public Law*, stacked year-wise, international law commentaries by Antonio Cassesse, Malcolm Shaw, Jan Klabbers. I know they do not hold the answers to my questions.

To me at least, their purpose appears to be to establish the assumptions that we must make about democracy, civil liberties, rule of law, constitutionalism, and the so-called 'international community', a club of states. In 1947 when a part of Kashmir was 'temporarily' joined with India giving it a special status, the meaning of freedom for Kashmiris meant safeguarding *self-governance*, their abilities to govern according to the wishes of their people, their customs, and their histories. Today, to most Kashmiris, freedom means freedom *from* India. That is the change that has come about in seventy years of constitutional democracy. In 1991 when the peace process began, freedom for the Kurdish people meant the space for all nations to govern themselves and safeguard their distinctive cultures, languages, and ways of life within the larger Turkish state. Today, freedom for many Kurdish people means freedom from *all* states. Meanings change. Meanings shrink or expand.

Around me, calls for *azadi* [freedom] ring louder than ever from Kurdish and Kashmiri peoples. Two different nations, two different states, two different continents, two different histories share the same word *azadi, azadi*, and astonishingly, even the evolution of its meaning has followed a similar trajectory: from *azadi* to govern ourselves to *azadi* from states.

I do not bother to dust the volumes on my bookshelf, I do not search for the meaning of *azadi* in those volumes. Freedom is not solely a matter for the mind, freedom is a matter for the heart. For my part, I try to safeguard the wellsprings of *azadi* within me, hoping that the desire for freedom keeps bubbling away. I recall Rumi again:

If in the world thou art the most learned scholar of the time, behold
The passing-away of this world and this time! (I: 2845, D'Souza, 2014b)
This time too shall pass.

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The volume brings together scholarship on two names associated with 'conflict' but what we argue are best described as 'stateless nations': Kurds and Kashmiris. They both raise important questions relating to coloniality, sovereignty, statehood, self-determination and human rights and yet have never been studied together. Our intervention does not only challenge 'sovereignty privilege' in International Relations but is also an effort to make postcolonial and decolonial studies and endeavours more anti-colonial through a focus on contemporary stateless nations. Kurdish and Kashmiri conflicts are more than contestations of power by states over territories; they are colonialities of power experienced by embodied individuals and mobilised communities of stateless nations with different gendered and political vulnerabilities.

The focus here on is on colonial practices of postcolonial states of Turkey and India vis-à-vis Kurds and Kashmiris. In a world dominated by states and statist knowledge and a world where, for multiple institutional and political reasons, it is rare to speak of more than one stateless nation and there is a neglect of non-Western colonial practices, we call for shifting of the understanding of 'postcolonial' from 'West-non-West' to 'colonial-anticolonial' without apology.

The chapters in this volume showcase the diverse knowledge and expertise of the contributing authors and cover a range oftopics from governance to education, nationalism to regionalism, bureaucracy to political mobilisation, from coloniality to solidarity. What comes out clearly from all the contributors is the desire to go beyond conventional studies of conflict and of 'ethnic' minorities that take for granted 'sovereignty privilege' of existing nation-states and interrogate coloniality of power deployed by colonial nation-states of Turkey and India over Kurds and Kashmiris.

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